An Interview with Willy Brandt *Oriana Fallaci*

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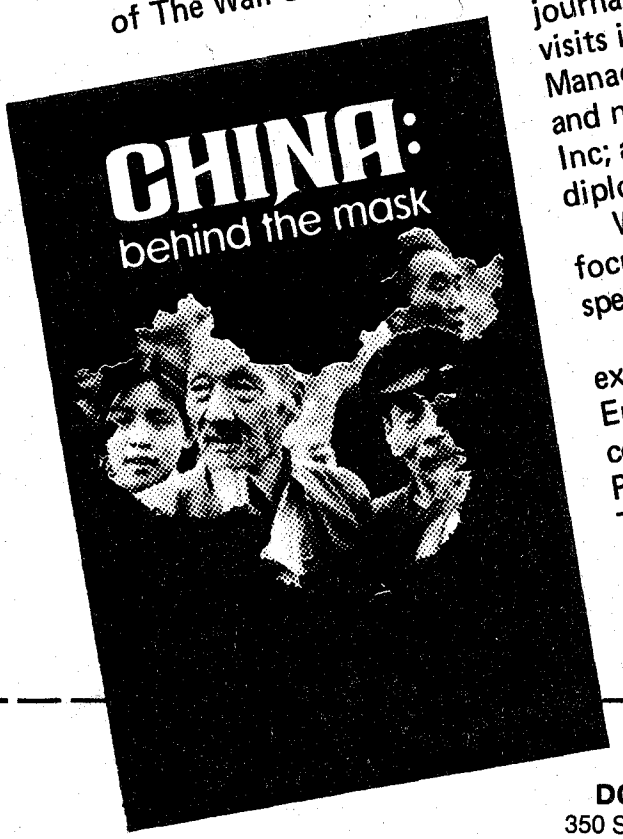

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TRB

from Washington
October 6, 1973

Not Like Other Men

There he stood, tall, fastidious, handsome, the benign-looking man conservatives jubilantly recognized as one who might cut liberals down to size: "A spirit of national masochism prevails," declared impeccably groomed Vice President Spiro Agnew in New Orleans, October 1969, "encouraged by an effete corps of impudent snobs who characterize themselves as intellectuals."

Mr. Agnew in 1969 didn't appeal for decency or mercy in characterizing his youthful opponents in Harrisburg, Pennsylvania that same month. He declared, "We can afford to separate them [student radicals] from our society—with no more regret than we should feel over discarding rotten apples from a barrel."

Agnew speaks with few gestures and oratorical tricks. He just stands there, sleek and superior, manicured and magisterial, registering well-bred scorn. He sends editors and supporters running to their dictionaries to find what the words mean ("nattering nabobs of negativism" was a honey) and comes up with fine resounding phrases that cause appreciative chuckles even from his opponents:

"They [the young protesters] are vultures who sit in trees and watch lions battle, knowing that win, lose or draw, they will be fed."

His attack on the press and TV brought ecstatic praise from Tricia Nixon: "The Vice President is incredible. I feel I should write him a letter. He's amazing, what he has done to the media—helping it [sic] to reform itself . . . I think they've taken a second look. You can't underestimate the power of fear."

And now, how things are changed. The Vice President is practically appealing to the House of Representatives to impeach him. The public is suddenly discovering that impeachment is about the only way under the Constitution to heave out a President or Vice President. It is so cumbersome most congressmen shudder at the very thought. But it is the so-called "grand inquest of the nation." And now here we are, looking over the brink into something frightening and unknown.

Last February as the new Congress got to work, this reporter began a column, "The question is now, can he govern? Mr. Nixon stands at his peak: an unprecedented election landslide, a Gallup Poll rating of 68 percent. He is stern, taut, confident, eager to show who's boss. He looks at Congress, waiting for something to be outraged about." Yet even so, as we saw it last February there were strange portents: the evident Nixon feeling that he was being "persecuted by 'the better people.' He has an immense majority," we added, "can he govern?"

The answer is still uncertain. But it becomes more dubious all the time. There is some evidence that Mr. Nixon knew about the Agnew Maryland troubles way back before the 1972 Republican convention. But he looked at the crisis McGovern was having in the Eagleton affair and decided to let the thing ride.

The Midas Touch

Sometimes it seems that anyone who touches the Nixon administration is soiled. *The New York Times*' Tom Wicker has added it up—six congressional investigations, five grand juries, five civil suits . . . and on and on. The former Cabinet is almost swept clean now and two of its former members are under indictment; and his closest former White House aides are out, and in trouble.

Now the Vice President. The man twice picked by Mr. Nixon to fill his place in office. The Vice President sounds quite noble as he tells the House that he wants it, not a grand jury to investigate his troubles. The Constitution, he asserts, "bars a criminal proceeding of any kind—federal or state, county or town—against a President or Vice President while he holds office."

Just like Mr. Nixon who won't give up the Watergate tapes for the loftiest of reasons. And so Mr. Agnew says, "accordingly, I cannot acquiesce in any criminal proceedings being lodged against me." It is his "right and duty," he says, "to turn to the House."

This sounds fine. But what it means is that Messrs. Nixon and Agnew have an exclusive monarchical privilege under certain circumstances; they are not like other men. They transcend the law. They cannot be indicted or subpoenaed. They need not even obey the Supreme Court, unless, in Mr. Nixon's airy phrase, its judgment is "definitive." They can appeal to the labyrinthine process of impeachment which means, in Mr. Agnew's case, that instead of being tried by a hard-nosed federal grand jury of common citizens in Baltimore he may ultimately (if the House acts) go before a body of fellow politicians in the Senate, familiar with the problems of campaign donations and kickbacks, and hope that one-third of them plus one will vote "not guilty."

The atmosphere here last week was as strange as we have ever seen it. The White House carried on a Byzantine campaign to get Mr. Agnew to resign. As the rift with him widened and deepened, rumors were set afloat, and the near-desperate Vice President tried to swat them down like hornets. Obviously the White House doesn't want a discredited Agnew on its hands.

Ultimately, when the Vice President made his decision, Mr. Nixon came up with a tardy appeal not to prejudge the case. This is all very well, but under the circumstances, Mr. Nixon's own earlier failure to rush eloquently to his subordinate's defense was in itself a form of prejudgment. We believe that Mr. Agnew has already been politically destroyed.

We suspect there's something to Stewart Alsop's ingenious speculation that John Connally sees a vice presidential vacancy looming and is angling for it. How else but to curry Nixon's favor can you explain Connally's rash and extraordinary statement that the President need not obey the Supreme Court? Through it all the public remains amazingly quiet. It is stunned and incredulous and its belief in the democratic political process may well be dangerously low. Our guess is that there are more shocks to come. We think the Watergate case will go to the Supreme Court. We suspect the Court's majority will decide against the White House. And we guess that if Agnew ultimately resigns and the President names Connally, Congress won't confirm him. In the 93rd Congress, we just can't see a majority of both houses, as required by the 25th Amendment, going along.

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Inconclusive Hunt

The Ervin Select Senate Committee, luckily, is not the final investigator in the Watergate case. Archibald Cox and his special prosecutor force are doing their own detective work, and the chances are they are filling in the blanks and sorting out the conflicts left by the Senate hearings. But with the prospect looming that first the House and then the Senate may examine and act upon allegations of misconduct on the part of Vice President Spiro Agnew in an impeachment proceeding, a review of the shortcomings of the Ervin investigation and hearings is necessary.

Let us start with one set of facts recited to the committee last week by convicted Watergate conspirator E. Howard Hunt, Jr., which took only a minute or two, prompted no immediate questions, and to which the members and their staff seemed to attach no particular importance. The facts given proved there was a major failure on the part of the original Watergate prosecutors, raised the possibility that at least one more government witness did not tell the truth at the Watergate trial, implied that additional destruction of evidence took place at the direction of White House aides, and suggested that further investigation could develop still another White House episode in the tale of conspiracy to obstruct justice.

Hunt's recitation was as simple as it was significant. At 3 am on the morning of June 17, 1972, after five of his crew were arrested inside Democratic Party headquarters, Hunt walked into the Executive Office Building, next door to the White House, carrying an attaché case full of electronic equipment. For almost a year Room 338 in that building had been assigned to him as a private office by then White House special counsel Charles Colson. Hunt opened the safe, deposited the attaché case and took out $10,000 in cash—money he was to use as down payment for lawyers he hired to defend his arrested men. Neither the senators nor their staff counsels seemed surprised nor especially interested that after the break-in, Hunt had returned to his White House office. He was not asked whether a guard signed him in, whether his attaché case was opened, or if he telephoned anyone.

Hunt then said that two days later, Monday June 19, he again went to his White House office and reviewed the contents of his safe. He had reason to—though again no one on the committee asked him

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what that reason was—for the FBI wanted to question him as did newsmen who had heard his name was among papers taken from the arrested burglars. On that morning, according to Hunt, his safe held "material relating to Gemstone" (the Republican political intelligence plan that included wiretapping and burglary). Hunt described that material as including a folder containing his chronological notes made following each meeting with his co-conspirator, G. Gordon Liddy, and two notebooks listing the names, addresses, positions and telephone numbers of everyone associated with Gemstone. In addition there was the attaché case with electronic equipment, the forged State Department cables through which Hunt sought to discredit the Kennedy administration, and the CIA's psychological profile of Daniel Ellsberg. This material, Hunt said, could "provide a ready handbook to investigators with resources to determine the perameters of Gemstone and other activities" in which he had been involved. He had called Colson's secretary, who had the combination to his safe, and told her the safe "was loaded." No one asked him why he did that. Indeed no one sought to trace carefully Hunt's movements during the first days after the Watergate break-in.

What makes Hunt's disclosures important is the manner in which his safe was later opened and how material within was handled in the initial investigation and trial.

In October 1972, after he was indicted, Hunt filed a motion against the government, claiming that material seized illegally from his safe was being used against him. The government, he said in an affidavit, had broken open the safe and, without a legal search warrant, had taken his notebooks among other things. In response the chief government prosecutor, Earl Silbert, filed a statement that Hunt's safe was drilled open the evening of June 19, after White House Counsel John Wesley Dean III received word Hunt might be associated with the Watergate break-in. It was drilled, the Silbert memo stated, because "the combination was not on file." (Hunt subsequently testified that not only Colson's secretary, but also the Secret Service had the combination.) "All the material" found in the safe, according to Silbert, "was subsequently turned over to the Federal Bureau of Investigation." However when the government gave Hunt a list of what was found in his safe, the notebooks and the Gemstone folder were not included.

The government also maintained that Hunt's White House employment had ended on March 29, 1972, before the Watergate break-in, that his office had not been used thereafter, and that the material in his safe had been considered abandoned. Hunt's lawyer told the court he would call White House staff members to prove Hunt *had* occupied the space up to the time of the break-in. It was at that point that Hunt pleaded guilty and the question about the safe was left in abeyance. Later during the Watergate trial Bruce Kehrli, a White House staff secretary who was called upon to identify the electronic communications equipment in the attaché case, testified that Hunt's office when he entered it June 19 appeared not to have been occupied for some time—though Hunt had been in it that morning! Was Kehrli a remarkably unobservant witness or was he lying? The equipment in the attaché case stored in Hunt's safe was identified at the trial as having been delivered to James McCord, Jr. on May 25, 1972—long after the date when Hunt was supposed to have left the employ of the White House. Government prosecutors never noted that inconsistency; nor, apparently, did they ever try to find out if Hunt *did* return to his office on June 17 or later.

There are other investigative gaps. In March 1973 L. Patrick Gray III, during his ill-fated confirmation hearings to be FBI director, was asked about Hunt's safe. Gray could not explain why John Dean, who reviewed contents of the safe on June 20, held onto the material for seven days before giving it to the bureau. The delay was not important, Gray said, because the materials "were not that great" an aid to the prosecution. Then in a different context Gray testified that "the material that came from the office, we found it to be incriminating to say the least." Obviously Gray was being far from candid, but how far the public did not discover for another month. In April it was disclosed that folders from Hunt's safe had been delivered to Gray personally by Dean with instructions that they were not to be made part of the Watergate file, since they were "political dynamite." What was Dean talking about? We don't know since Gray says he destroyed what Dean gave him. But what was that? Both Gray and Dean testified the forged cables were in one folder, but neither was pressed to say what was in the other. The closest the committee came to the truth was Gray's statement that the second folder contained "onionskin copies" that he had not read. Was this Hunt's chronological file of Gemstone notes? Was there a plan, to which Hunt was a party, to destroy files incriminating the higher-ups but to turn over everything else to the FBI?

One other aspect of the safe mystery remains unplumbed by the Ervin committee. Dean testified that at a June 19 meeting, Colson "said it was imperative that someone get the contents of Hunt's safe." But why was it drilled when Colson's secretary had the combination? Was this part of a conspiracy to make it appear Hunt was no longer a White House employee? And why, since Dean says he initially went through the material from the safe with his assistant Fred Fielding, did neither of them mention the two notebooks or the Gemstone chronological file? We don't even know whether Hunt was told his safe was to be opened, though we do know that the White House pressed the FBI to keep the fact of the safe and its con-

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tents from the press. Two days after the bureau received what apparently was most of the material, however, the news did leak out. And on the following day, according to some news stories, Hunt tried to reach Dean. Hunt has yet to be asked about that call.

The Ervin committee hearings never got to the bottom of the White House's handling of Hunt's safe—though the safe contained clues to the original break-ins and certainly figured in the subsequent cover-up. With Hunt as a cooperative witness there was an opportunity to sort out conflicts in earlier testimony, but again the committee drifted and dawdled. Who authorized the Liddy intelligence plan and when? Hunt said several times that Liddy had told him former Attorney General John Mitchell and White House counsel Dean had approved it, after twice turning it down. But months before the so-called approval was given, some of the operations outlined in that plan had already been initiated by Hunt—the planting of spies, for example. Further what were the burglars looking for in Democratic headquarters? The testimony is conflicting—some said "national security" information on Cuban contributions. Others said dirt on Democratic chairman Lawrence F. O'Brien. Hunt's men took photographs during the first break-in, but Hunt was never asked what they showed. He testified he opposed the second DNC break-in, but never was asked why Liddy insisted on going back.

An inclusive interrogation that leaves important questions hanging in the wind is but one danger in a congressional investigation of such matters as Watergate—or allegations of improper conduct by Mr. Agnew—where political partisanship is inevitably in play. There is another danger; namely the opportunity offered witnesses and committee members to float and promote deceptive information. Hunt, for example, dangled before us the notion that a double agent was at work in the Watergate affair. The idea is attractive to Republicans for it suggests that Democrats were some implicated. But almost every "fact" Hunt used to support this theory was inaccurate. The presumed double agent—Alfred C. Baldwin III—had an uncle who was a Democratic judge, said Hunt. Wrong, his uncle is a leading Republican. Baldwin once *claimed* Democrat John Bailey as an uncle, said Hunt. Right, but the inference drawn was wrong. Baldwin used that *false* claim as a ruse to get into Democratic headquarters. Baldwin "squealed" to the *Los Angeles Times* after the break-in, according to Hunt. Wrong, Baldwin "squealed" to the FBI in July; that was his "errant disloyalty" (Hunt's term). Baldwin did not talk to the *Times* until October, after Hunt and others were indicted. Notwithstanding Hunt's inaccurate or misleading testimony, or rather because it was not immediately challenged—the committee's vice chairman, Howard Baker, thanked Hunt for raising the double agent notion. The gratitude was as mischievous as the testimony.

Democrats at Work

There's more agreement among the 73 members and officers of the Delegate Selection Commission of the Democratic Party than one might judge from the shrill notes struck by National Chairman Robert Strauss when, on the eve of a commission meeting, he denounced "quotas" and warned against party bloodletting. Strauss was playing a little politics—giving those who want a wholesale revision of the McGovern Commission rules a cheap thrill, while simultaneously denying a request to add 80 members to the commission so that the 1972 reform rules could be torn to shreds. A moderate-to-liberal majority is in command and has no intention of provoking insurrection. This doesn't mean the commission faces no tough decisions:

Quotas: There is general agreement that strong affirmative action is needed to assure a fair shake at Democratic conventions for racial and ethnic minorities, women, youth. Strauss is said to favor "the toughest language possible short of quotas." The real problem is not the wording, but how "affirmative action" by state parties is to be monitored and then judged. Some want that left in the hands of the political staff of the Democratic National Committee, a position that worries those who fear that an overworked staff may bargain away some gains to solve other problems with the states. Some want the Delegate Selection Commission itself to do the monitoring, with an arbitration board making the judgments.

Ex-officio delegates: This is a favorite subject of the traditionalists but, at least with "Al Barkan's boys" from the AFL-CIO, it may be more a bargaining point than anything else. Patricia Harris, chairman of the credentials committee in '72, proposes making about 700 Democratic officeholders—governors, senators, representatives, mayors—automatic ex-officio convention delegates with a vote, between one-sixth and one-fourth of all the delegates. Americans for Democratic Action (ADA) suggests making these officeholders ex-officio without a vote, leaving it up to them to run as delegates or to go to the convention and ask the convention to give them a vote. Critics of ex-officio delegates claim it violates a number of rules of the 1972 convention mandate, which say delegates must be named by committees, conventions or primaries within the year of the national election. Not all elected officials on the commission favor generous application of the ex-officio principle. Rep. Romano Mazzoli (D, Ky.), a commission member, said he'd polled his colleagues and found only 55 percent favoring giving a vote to ex-officio delegates. Still there's not much dispute that party officeholders should be taken care of some way to avoid the embarrassing situation many members of Congress confronted at Miami Beach in 1972 when they sought admission to the floor.

The solution favored by many is the one put forward

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by Joe Beirne, president of the Communications Workers of America (CWA) and a commission member. Beirne would increase the percentage of a state's delegation that can be named by a party committee from 10 percent (under the McGovern rules) to 30 percent, thus opening up more spots for prominent elected officials, labor leaders or minorities, women, youth.

Slatemaking: There's a general sense that presidential candidates should have more say about who runs on slates committed to them. McGovern's people had problems with this in 1972 when special interest groups moved into their camp and dominated some of the slatemaking, often putting up delegate candidates more loyal to a particular issue than to McGovern. There's disagreement over whether party committees, such as the Cook County Democratic Central Committee, should be allowed to run slates. Some reformers say it's all right to let them do it so long as they don't get top position on the ballot.

Proportional representation: Rules adopted at Miami Beach for the 1976 convention include a ban on the unit rule and a directive that 1976 delegates be chosen "in a manner which fairly reflects the division of preferences expressed by those who participate in the presidential nominating process in each state, territory and the District of Columbia." This rules out winner-take-all primaries. At question is how far down the selection process such a division of preferences should be enforced. Reformers favor going all the way down to precinct caucuses, as was done in many states in 1972. Thus county convention delegates, at the next step up from the precinct caucus, would express the actual preferences of persons who attended precinct caucuses. Others, including some labor leaders, want a free hand at the precinct caucus level because of their belief that labor's strategy of electing large numbers of uncommitted delegates in 1972 to give it bargaining power at Miami Beach was crippled at the precinct level when voters, including labor union members, followed a natural tendency to declare a preference for one of the candidates rather than sign up at the door as "uncommitted."

Practical Politics

Congressional debate on the $20.4 billion military research and procurement bill began on September 20. Some 30 written amendments have already been introduced and more are anticipated. Eager for an October recess, the Democratic leadership is unnerved by the prospect of lengthy deliberation. Throughout the debate Majority Whip Robert Byrd (D, W. Va.) has been restlessly pacing the aisles, conferring on the floor and in the cloakroom with amendment sponsors and securing "unanimous-consent resolutions" to limit discussion on each amendment.

Badly outnumbered in past efforts to cut big chunks out of the military budget, Senate pruners have been more practical this year. Although it has meant narrowing their targets, the effect has been to attract support from the Senate's large, more or less bipartisan center. With the Vietnam war behind it the Senate has gradually become less polarized, more willing to seek compromise. While the results so far have not been spectacular, this tendency toward accommodation has occasionally wreaked havoc on the Pentagon's strategy of divide and conquer.

No one better exemplifies the practical approach than Senator Thomas Eagleton (D, Mo.). Although he is not a member of the Armed Services Committee, Eagleton has developed an interest in military affairs and in recent years has zeroed in on several of the Pentagon's ill-begotten weapons and been the principal cause of their demise. The army's Cheyenne attack helicopter and main battle tank are two casualties to his credit. This year Eagleton focused his attention on an air force boondoggle: the $2.6 billion airborne warning and control system.

AWACS is a classic case of a weapon in search of a mission. Originally conceived as an airborne defense against low-flying Soviet bombers, events have since compelled serious rethinking. The Soviet Union has about 140 long-range bombers and shows no sign of expanding its fleet; thus the so-called "threat" against which AWACS would defend is small and shrinking. Moreover, the anti-ballistic missile treaty signed by the United States and the Soviet Union last year leaves each nation defenseless to the other's missiles. "If we are willing to limit anti-missile defense to two sites," reasons Eagleton, "then we would be equally justified in remaining open to the less likely threat of a bomber attack."

Prodded by Eagleton's challenge the Pentagon has switched signals. "This week the Secretary of Defense decided that AWACS would no longer be a part of the Air Defense Command," said Eagleton on September 22. "It would instead be assigned to the General Purpose Forces Command. It was a cryptic decision, apparently the result of a fundamental policy change." In other words the air force is now scratching hard for a new rationalization for AWACS but has yet to find one. Most likely the service will try to sell AWACS to Congress as a flying tactical command post similar to those that directed air attacks against Laos and North Vietnam.

The proximate cause of the Pentagon's apparent change of mind was an Eagleton amendment that would have drastically reduced research and procurement funds for AWACS. In preparation for the battle eight defense contractors with AWACS contracts took out a 17-page advertisement in *Aviation Week & Space Technology*, an aerospace journal, to

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bolster public support for AWACS in the military-industrial community; the air force responded by mobilizing its allies on Capitol Hill. When it became evident he did not have enough votes to take a big bite out of AWACS, Eagleton modified his amendment so it held up the $12 million in production money but retained $156 million for research. Before production can be authorized the air force must submit all data on AWACS to the comptroller general for an independent assessment. (The service has apparently withheld much information from Congress.) If the comptroller general certifies that he was denied "data sufficient to enable him to make an adequate review," no production funds would be allowed for AWACS. If on the other hand the data are supplied and a General Accounting Office study is made, the air force would still have to get special legislation in 1974 before production money can be authorized. Although the air force chief of staff first told Eagleton the service would oppose him, the air force reluctantly backed down in the face of growing support for the amendment and did not oppose it. When Eagleton took his amendment to the floor it was passed 20 minutes later by voice vote.

While the amount at stake was small, the principle at issue was not. The Constitution empowers Congress "to raise and support armies" and "to provide and maintain a navy." Since World War II Presidents have so encroached upon this congressional prerogative that the Pentagon has arrogated to itself the right to determine what information Congress may or may not have. The Eagleton amendment reasserts the legislature's constitutional authority over the military by compelling it to supply an agency of Congress, the General Accounting Office, with *all* data on AWACS. That may seem like a modest accomplishment, but it is a step toward firmer civilian control of the military.

Banned in McLean

Victor Marchetti was a high-level clerk and analyst at the CIA until 1969, when he quit because he had become "disenchanted" with the spy business. At the peak of his career he was an executive aide to Admiral Rufus Taylor, deputy director of the agency. Marchetti quit after doing 14 years of CIA paper work because he felt his employers had become "too large, too inefficient, too tribal, too dangerously manipulated by the military. One of the things that bothered me," he said, "was the fact that we continued to perpetuate the cold war, we were over-concerned with what they called 'maintaining stability in the third world,' another way of saying supporting our dictators and reactionary friends. Also, to be frank, age was a factor. My boy scouts were coming back with long hair and beards and saying they didn't want to go to Vietnam. It was a time of personal reevaluation. At the time all I thought was, just get out, the hell with it." He thought he would write some spy novels, make some money and "get established in the writing game." Eventually he planned to write "the kind of fiction I wanted to write in high school."

Marchetti was disappointed when the critics panned his first book, a novel called *The Rope Dancer*, about espionage. "They completely misunderstood it," he complains. But he discovered that reporters were interested in him as news copy. He gave interviews, delivered some lectures and began work on a nonfiction analysis of all that he felt was wrong with US intelligence. He drew up an outline, found a co-author (John Marks, a former foreign service officer) and signed a contract with Knopf to write what was tentatively called *The CIA and the Cult of Intelligence*. Then the CIA's lawyers moved in. Since April 1972 Marchetti has been prohibited by court injunction from showing his manuscript to anyone outside the CIA without its prior approval.

With the help of the American Civil Liberties Union Marchetti appealed his case to the Supreme Court, which denied him a hearing. Marchetti now remains bound by the lower court injunction, which he calls "an outrageous document, written by that juridical master, Clement Haynsworth." It applies to fiction and nonfiction, and apparently it binds him for life. Under threat of contempt charges Marchetti and Marks sent their book to the CIA last month for approval. They were told that 100 pages of the 530 they submitted were unacceptable and would have to be cut. The CIA argued that if published in its present form, the book would compromise national security and violate the CIA's right to protect its "sources and methods." Marchetti, on the other hand, said he put nothing in the book that hadn't already been exposed and that the only names he included were those of high officials ("who are in a sense public") and foreign heads of state.

Legally the case is interesting because it is not being argued as a violation of the espionage statutes, but as a civil dispute. The CIA won its injunction against Marchetti on a principle of business law. Many big corporations require new employees to sign a contract promising not to give away or exploit company secrets when they leave the company, a practice that is generously supported by legal precedent. When Marchetti joined the CIA he pledged not to "divulge, publish or reveal either by word, conduct or by any other means any classified information, intelligence or knowledge . . . unless authorized specifically in writing in each case by the Director of Central Intelligence." So when Marchetti signed his book contract the CIA went straight to court citing his oath and business law precedents. It won an injunction against breach of contract;

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Marchetti and the ACLU describe their case as a constitutional issue, an unprecedented attempt by the government to censor a book before it has been published. They warn that other government workers may find themselves bound by similar injunctions. Marchetti points out that on August 25 the FBI announced that all employees would be bound by a new secrecy code, enforced through contract pledges like the one he signed at the CIA. When a reporter asked for a legal justification of the new policy, the FBI spokesman cited the Marchetti case.

Marchetti believes the CIA has taken him to court to harass the book out of existence. He says "The CIA doesn't want the book published. And if we go ahead and publish anyway they want to punish the author to set an example for lots of other guys who are sitting around in the Washington suburbs thinking about what has happened and wanting to comment." Marchetti's only legal recourse now is to challenge each CIA objection individually and try to reinstate the 100 censored pages a word at a time.

Since it is not possible to read the Marchetti manuscript we cannot say whether his suspicions about the agency are justified or not. One former CIA official who has seen parts of the book believes that Marchetti simply used bad judgment, that he might have published his book by now if only he had not used the names of current CIA employees and projects. Marchetti says his book doesn't expose current operations; the CIA says it does and as of now the agency has the upper hand.

In the Public Interest

Uncollected Taxes

Washington

"There's gold in them thar hills" used to be the expectant cry of the 19th-century prospector. Today the inquiring citizen-taxpayer could direct the same words toward state and local governments that are losing billions of dollars every year in uncollected corporate tax revenues, lost procurement savings and noninterest bearing government accounts.

Here is a list of hidden lodes where badly needed revenues could be obtained simply by enforcing existing laws and pursuing prudent government management practices.

1) There is a national scandal in corporate evasion or underpayment of property taxes. Public Citizen's tax reform group estimates that local governments lose a minimum of seven billion dollars a year through underassessment and evasion, most of which is corporate. Whether it is coal companies in Appalachia, oil and gas firms in Texas, timber and paper companies in Maine, mining companies in the West and industrial plants and commercial office buildings throughout the country, the message is the same. The big companies pay less while the small homeowners and small businessmen pay more property taxes as a result.

Senator Muskie's subcommittee estimated, for example, that US Steel's Gary, Indiana plant is underassessed by $119 million. The local assessor has been denied information by US Steel about plant value and equipment. More details on property taxes chicanery by companies and mass appraisal firms can be obtained by writing to the Tax Reform Research Group, PO Box 14198, Washington, DC 20044.

2) Companies that fudge on turning over sales taxes to the state or that evade personal property taxes by moving inventory or equipment out of the state just before tax time are fertile areas for investigation. In Missouri state authorities are investigating an annual loss of some $100 million in state retail sales taxes that are collected by businesses but not remitted to state revenue offices.

Companies operating interstate frequently play off one state against another to escape taxes. The Illinois Insurance Department has ordered 11 insurance companies either to move their real headquarters to Illinois or drop their false "store-front" home offices that are designed to escape premium taxation by other states as well as by Illinois. Commissioner Fred Mauck estimates a five million dollar a year loss to Illinois unless this practice is stopped.

On July 31, 1973 the Illinois Department of Revenue issued a notice of tax liability in the amount of $45.9 million against the Illinois Bell Telephone Company for the period July 1967 to November 1970. The phone company claims that there should be no tax on receipts from alleged interstate commerce—that is long distance calls out of state. This is a frequent accountant's defense that has been inadequately challenged by understaffed state agencies.

3) Poor management of state and local pension-retirement, operating and capital funds lose citizens many millions of dollars annually. Recently there have been verified reports of state and local government operating funds in noninterest bearing bank accounts. This shocking official irresponsibility means less state revenues that could lead to higher taxes for the people.

For the huge pension and capital funds the problem is one of underinvestment. There is utterly too much secrecy surrounding facts that citizens have a right to know. Conflict of interest is one reason for secrecy. Until this spring for instance the Maryland state treasurer was also the head of a Baltimore bank and a banking industry leader.

4) State and local procurement of services and supplies total nearly $40 billion a year. Mismanagement, corruption and the frequent absence of competitive bidding cost taxpayers at least a quarter of that sum. For example more centralized purchasing direct from

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manufacturers to avoid unnecessary or wholesale mark-ups would promote great savings. The federal General Services Administration urged this course of action on the states over three years ago but stopped when the wholesalers' trade association protested to powerful members of Congress and the White House. 5) State pension and retirement funds invested in common stocks pay a sizable commission to brokers. Connecticut State Treasurer Robert Berdon revolted against this practice last year and obtained, over great opposition by the securities industry, a seat on the PBW exchange to save the state one million dollars a year in brokerage fees. Other states (Washington, California, Massachusetts, Pennsylvania) are watching the Connecticut move because they are considering doing the same thing.

So before state and local taxes go up on the little taxpayer, citizens should inquire of their state and local officials what they are doing to recover all of these lost revenues.

Ralph Nader

The Nixon Watch

Appeal to the House

Spokesmen for both the President and the Vice President emphasize the fact that Mr. Agnew requested his meetings with Mr. Nixon on August 7, September 1 and September 20, and that the President initiated a fourth and, up to then, climactic discussion with the Vice President at the White House on September 25. Before the President and the Vice President met alone on the 25th Attorney General Elliot Richardson and Assistant Attorney General Henry Petersen, who directs criminal proceedings at the Department of Justice, gave Mr. Nixon what he called "an assessment of the situation." The unprecedented situation that they assessed for the President resulted from the federal investigation of reports—not as yet formal charges, although the President and the Vice President were soon calling them charges—that Spiro Agnew extorted and accepted bribes from contractors when he was a county official and governor of Maryland and took thousands of dollars from some of the same sources after he became Vice President.

Nearly all that is known at this writing of what passed between the President and the Vice President and of the situation that they and the country confront is set forth in statements by the attorney general and the President; a letter from the Vice President to Speaker Carl Albert of the House of Representatives; sparse accounts of the Nixon-Agnew meeting offered by the President's spokesman, Deputy Press Secretary Gerald Warren; and a brief, oral denial by the Vice President that the possibility of his resigning was discussed by him and the President. Here, derived entirely from the official and published evidence, is my reading of what Mr. Nixon was calling "the situation" as it stood on September 27.

It is all too clear that Richardson, Petersen and George Beall, the US attorney conducting the Maryland investigations and prosecutions of bribery in public business, are convinced that the evidence involving Vice President Agnew is substantial and damning. The events on and after the 25th confirmed, if any confirmation were needed, prior indications that the President, the Vice President and the attorney general have known since last July and possibly for quite a while longer that Mr. Agnew was in a kind and degree of trouble that, sooner or later, was bound to bring into question the feasibility and propriety of his continuance in office. The President's spokesman, the Vice President's spokesman, and Mr. Agnew himself have denied that his resignation was requested, offered or discussed at his first three meetings with Mr. Nixon on this matter. After the fourth meeting the President's spokesman said again that the Vice President's resignation was neither requested nor offered. He was extremely reluctant to say whether it was discussed. Derisive reporters drove the spokesman to say that resignation "would have been among the options discussed" and, finally and flatly, that "it was" among the options discussed. His way of saying this did not indicate to me that it was discussed as a serious or desired possibility. But some reporters interpreted the spokesman's grudging and cautious response to their questions to mean that he at last was admitting, for the President, that Mr. Nixon wanted his Vice President's resignation and had so indicated at the September 25th meeting. A reporter's question to the Vice President, couched in these terms, caused him to say: "The President and I have not discussed that possibility. I want to make it very clear that I am not resigning." In a statement urging "all Americans to accord the Vice President the basic, decent consideration and presumption of innocence that are both his right and his due," the President conspicuously omitted any repetition of his previous and cruelly limited assertions of confidence that Mr. Agnew had done nothing wrong since he became Vice President. He also continued to avoid any reference to a request for or discussion of resignation.

Certain references in the attorney general's statement on the 25th and a point made by the Vice President's spokesman concerning resignation amount in my view to confirmation of new reports that resignation was discussed and strongly suggest that it came close to occurring. In acknowledging the truth of reports that he, Petersen and Prosecutor Beall met several times between September 12 and the 25th with three attorneys for the Vice President, Attorney General

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Richardson said the purpose of these meetings was to seek "prompt resolution of problems which might otherwise result in a constitutional dilemma of potentially serious consequences to the nation." Richardson then said, "It has proved impossible, *to this point* [my emphasis], to reconcile the Vice President's interests, as represented by his counsel, with the Department of Justice's perception of its responsibility to see that justice is pursued fully and fairly." In short the federal prosecutors and the Vice President's attorneys had been unable to strike the sort of plea-bargaining deal that Nathan Lewin discusses elsewhere in this issue.

Before and after the Richardson statement appeared there were speculative but seemingly substantive reports that the Vice President's lawyers discussed with the attorney general and his subordinates the possibility that Mr. Agnew might resign if he were either—depending on which account you read—assured that he wouldn't be prosecuted or let off with a plea of guilty to a minor charge. An Agnew spokesman denied that the Vice President had offered through his attorneys to resign on any terms. But the spokesman didn't deny that the possibility of resignation in return for some federal concession was discussed. He simply said that the Vice President and his attorneys had not initiated the discussion. This brings us back to Attorney General Richardson's reference to "a constitutional dilemma of potentially serious consequences to the nation." The dilemma in prospect would be brought about if the Vice President contended, as he had already indicated he might and as he promptly did in his letter to the speaker of the House, that "the Constitution bars a criminal proceeding of any kind—federal or state, county or town—against a President or Vice President while he holds office." Apart from the embarrassment resulting from criminal investigation and possible indictment of the Vice President, the President's attorneys had already staked out precisely that claim of constitutional immunity from criminal prosecution for him, in connection with the Watergate scandals, and the last thing he could have wanted was a test of the proposition based on the weaker claim that a Vice President shares the immunity. It's conceivable, therefore, that the federal negotiators raised the possibility of a deal involving the Vice President's resignation and did so with the knowledge, implied if not explicit, that Mr. Nixon would be pleased if a deal could be worked out. The Attorney General took care to note in his statement that the negotiations with the Agnew attorneys had been undertaken "with the approval of the President's counsel and the President."

The Vice President's request for a House investigation of "charges" that could "assume the character of impeachable offenses" was a form of flight from the imminent prospect of federal grand jury investigation and indictment. His attorneys had indicated that they were thinking of asking a federal judge to prohibit the submission of evidence involving the Vice President to a federal grand jury in Maryland. A congressional investigation, had it been undertaken, would have strengthened the Agnew claim that he couldn't be indicted and prosecuted, or even investigated, until and unless he was impeached by the House, convicted by the Senate, and removed from office. Mr. Agnew delivered his letter in person to Speaker Albert, spent more than an hour at the capitol arguing his case with the speaker and other leaders of the Democratic majority, and must have realized afterward that there was very little chance that the Democrats would take him and President Nixon off the juridical hook. After further consultation the next day with leading Democratic congressmen, Speaker Albert effectively buried the Vice President's request that the House interpose itself between him and the federal prosecutors by saying nothing would be done so long as the matter was "before the courts." Agnew in his letter quoted the 18th-century concept that the House of Representatives in its impeachment role acts as "the grand inquest of the nation." Inquest in its modern meaning seemed more relevant to the Vice President's situation.

John Osborne

Bargaining with Federal Prosecutors

While announcing publicly that "evidence regarding the VP" would be presented to a federal grand jury in Baltimore, Attorney General Elliot Richardson confirmed that during the two weeks preceding that statement, he, as well as the head of the Justice Department's Criminal Division and the US attorney in Baltimore had been meeting with Mr. Agnew's lawyers "to discuss procedural aspects of the case and options available to the Vice President." The words "plea bargaining" were not used but the announcement substantially confirmed earlier news stories that Mr. Agnew's attorneys had been negotiating with the prosecutors to work out a disposition of the possible criminal charges. *The Washington Post* reported on September 26 that the prosecutors had offered to allow the Vice President to plead guilty to a "minor offense," if he would resign and simultaneously issue a statement acknowledging that he was guilty of taking bribes. The Vice President's lawyers, it was said, had offered only a resignation.

The decision to start presenting proof to a grand jury does not end the negotiating process. Nor does a request for congressional investigation or even an attempt to halt the grand jury mean that discussions

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with the prosecutors are at an end. If all other avenues fail, the Vice President may reconsider the refusal to do more than resign. If on the other hand Mr. Agnew were to succeed in delaying grand jury action (and possibly deferring any criminal charge until the federal five-year statute of limitation has expired), the prosecutors might soften their demands. In Agnew's case, as in any major criminal investigation and prosecution, feelers and proposals will probably continue to be exchanged among all counsel.

Plea bargaining is one of the hidden recesses of the law. It is, as the words indicate, a process by which a prosecutor and the lawyer for someone formally accused of crime haggle over the conditions under which the accused will agree to forego a trial and admit to the court that he was guilty. Since more than 90 percent of the criminal charges filed in the United States result in guilty pleas, and in almost all situations there has been some agreement struck before the plea is made, it is surprising that so little is known about the process. Deals are concluded between prosecutors and defense lawyers in the most informal ways, and each prosecutor's office—and, at times, each prosecutor within a single office—may have a peculiar and unique approach. Most criminal defendants are therefore better off with a tough negotiator as a lawyer, or with one who is attuned to the quirks of the particular prosecutor, than with a courtroom technician.

The usual carrot that a prosecutor offers in a plea bargain is a reduction of the charges. Federal indictments in particular are customarily drafted in multiple counts. That is why the first news reports of a federal indictment often say that the defendant, if convicted, "faces imprisonment for 35 years" or "60 years"—totally unrealistic figures arrived at by multiplying the number of charges by the maximum possible jail term for each and assuming that the judge will sentence the accused, if he is guilty, to serve the sentences one after the other. In practice federal judges seldom impose consecutive sentences, and the maximum for any single charge is usually more than the judge would mete out even if all the allegations were sustained at trial.

Knowing this, the practice of federal prosecutors is to allow a defendant to plead guilty to one "count" of an indictment alleging many offenses and to drop the other "counts" when the defendant is sentenced. If the accused takes up this offer he is assured that no matter how seriously the judge views his crime or crimes, he will not be punished more than the maximum Congress specified in the law for the single violation. Prosecutors have, at times, been able to drive harder bargains—when their evidence is strong—sometimes requiring pleas of guilty to two or more charges or to a charge that carries a long maximum jail sentence. And there have been occasions when defendants' lawyers have wangled better deals for their clients, such as reduction of a felony charge (which in the federal system means potential imprisonment of more than one year) to a misdemeanor (less than one year maximum).

A second aspect of the bargaining process that the courts have legitimized has to do with the sentence actually imposed. In all the judicial systems in the United States, state or federal, a judge decides what punishment will be given a defendant who has admitted his guilt. In most federal courts—with a handful of exceptions—prosecutors make no specific recommendations as to what the sentence should be. But in the major metropolitan centers on the east coast, they follow the practice of "bringing to the sentencing court's attention" facts that they think should result in a lighter or heavier sentence. A criminal defendant who cooperates with an investigation, for example, can count on the prosecutor's informing the judge of his helpfulness before or at the time of sentence. A recalcitrant defendant, on the other hand, will find the prosecutor implying to the judge that there is no reason not to be severe.

In a most famous recent plea bargain, counsel for E. Howard Hunt and Prosecutor Earl Silbert agreed initially at the outset of the Watergate trial that the charges against Hunt could be disposed of if Hunt pleaded guilty to three counts of the six in the original Watergate indictment. At this point Judge Sirica stepped in and exercised the prerogative that a judge has, once there is an indictment before him, to reject even the terms that the prosecutor has agreed to. The judge refused to take the action needed to make the deal effective—that is formally dismiss those charges that the prosecutor agreed to drop in exchange for Hunt's guilty plea. Mr. Hunt finally had no choice but to plead guilty to *all* the charges against him or proceed to trial on all. He elected to plead and now has moved to vacate that plea.

Special Prosecutor Cox's lawyers have, in the bargains they have struck so far, avoided putting themselves into a position where Judge Sirica could undo their deals. Neither Fred LaRue nor Jeb Magruder was formally charged with all the federal offenses that their own testimony showed they had committed. Rather than make the plea bargain *after* indictment, when the court would have to approve dismissal of charges, Cox's office offered to LaRue and Magruder—as it is reputed to have offered to others—a deal that bypasses the grand jury and results in a lesser charge being filed at the outset. Under the federal court's criminal rules a defendant may choose to give up his right to have the grand jury hear the evidence and return an indictment; he may stand charged if he wishes on the prosecutor's allegation alone. The technical difference in terms is that a grand jury's charge is an "indictment"; a prosecutor's is an "information."

Both LaRue and Magruder agreed to plead guilty to one-count informations that carry maximum jail terms of five years. They stand charged with nothing else,

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and Judge Sirica is powerless, even if he were unhappy with the form of the accusation, to do anything about it.

Whether this is a desirable approach to take to prospective Watergate defendants is not beyond dispute. Is it fair that Hunt, Liddy, McCord and the four Cubans face extended jail terms because of their part in the Watergate break-in while the higher-ups risk no more than a five-year sentence? Is it not of some importance to history, at least, and possibly to a fair wrap-up of all the prosecutions that grow out of the break-in and cover-up for a grand jury to charge all those who deserve to be charged with all the crimes that have been committed and then leave it to the prosecutors to negotiate out all cases on an evenhanded basis, taking to trial those who refuse to accept a uniform offer?

If one views the Watergate prosecutions as just a means of putting away those who deserve incarceration, the bypassing of grand jury indictments probably does the job. Judge Sirica will, in all likelihood, reduce the extravagant sentences he has already imposed on those convicted and sentenced and would probably not give out prison terms of more than five years even to those on the LaRue-Magruder plateau. Even President Nixon, however, with his call to turn Watergate over to the courts, recognized that the process plays a greater national role than is served by bare punishment.

Several aspects of Mr. Agnew's case complicate his plea bargaining and suggest doubts about whether it should be going on at all. First there is the matter of his public office. Should an elected or appointed public official be permitted to offer his resignation as an element of a plea bargain? Obviously this gives public officials greater license to commit crimes than ordinary citizens who have nothing equivalent to give if they are caught. Did the Department of Justice remotely conceive of letting Judge Kerner of the court of appeals in Chicago quietly resign instead of facing trial on the charges made against him? Were such pre-indictment offers made to congressmen who have been formally accused such as John Dowdy or Bertram Podell? The only case one can think of in which criminal prosecution was fended off by a resignation was John Mitchell's successful removal of Abe Fortas from the Supreme Court. Whether there was really enough in that Justice Department file for the institution of a criminal investigation is, of course, uncertain.

On the other side is the unfairness to the public official of entangling his public status with the allegation of crime. Opening a criminal investigation and agreeing to shut it off in exchange for resignation could be a way of forcing one from public office. That concern is increased if there is any possibility that the individual negotiating the deal on the prosecution side may have reason other than the objective of law enforcement in securing the resignation. President Nixon's interest in his Vice President's departure is now the subject of only the faintest of denials, and if his attorney general incorporates a resignation in a disposition of the criminal charges, Mr. Richardson's ringing promise before the American Bar Association to remove even the appearance of politics from Justice Department action will be broken while its echo still reverberates.

A second concern peculiar to the Agnew case, which did not apply to the LaRue and Magruder situations, is that neither the specific allegations nor the hard facts of Mr. Agnew's situtation are known. The public is entitled to know them so long as they affect a Vice President, and it plainly would not do if the Justice Department and Mr. Agnew's attorneys were to agree on a minor accusation, generally framed, to which guilt would be admitted. Given the rumor, denial, charge and counter-charge that have marked this case from the time it first broke into public notice, the public interest demands the full treatment by way of indictment (if there is evidence to return one) and full public awareness of all the elements that even enter into a plea bargain.

Nathan Lewin

The Constitutional Tangle

A bit of tension in the Agnew case was released last Wednesday, the 26th, but the path along which a resolution can be reached is far from clear as yet. Attorney General Richardson has authorized grand jury proceedings. But this means only that the evidence accumulated by the United States attorney in Baltimore and the witnesses he has interviewed will now be rehearsed and presented before the grand jury. The grand jury, under the guidance of the United States attorney and of Attorney General Richardson, may then dismiss the charges or vote an indictment. The attorney general, however, has not indicated what his course of action would be should an indictment be voted. He must authorize signature of it by the US attorney if the matter is to proceed to trial. Else it cannot and the indictment is a nullity.

Normally, of course, signature of the indictment is authorized, and trial does follow unless there is a plea of guilty. But in this case a major decision lies between indictment and signature. The question for decision is whether a sitting Vice President is subject to criminal indictment or must first be removed by impeachment before he can be indicted and tried. TheVice President takes the position that he is not indictable.

The question is an open one. It has never been authoritatively decided and there are no historical materials that shed any particular light upon it. The text

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of the constitutional provisions is inconclusive. It is said in Article I, Section 3 that the judgment in case of impeachment shall extend only to removal from office and future disqualification for office, and shall not foreclose subsequent criminal indictment and punishment. This language tends to suggest an assumption on the part of the draftsman that impeachment will normally precede criminal indictment. Yet no more than the suggestion of an assumption can be drawn from the language. It does not remotely say that impeachment must precede criminal indictment. A second provision, in Article II, Section 4, merely lays it down that the President, the Vice President and all civil officers of the United States are removable by impeachment.

Since not all men are angels and the framers of the Constitution had this earthy insight firmly in mind, if it were true that impeachment must in all cases precede criminal indictment, then the conclusion would have to follow that the framers intended Congress to be pretty busy with impeachments. For the impeachment clause applies to thousands of federal officers. It is very unlikely that the framers would have wished Congress to devote a substantial portion of its time regularly to the impeachment process; and it is unlikely that they thought the federal government would long remain small enough so that the impeachment business would constitute only an occasional and minor burden. The more reasonable supposition, therefore, is that in the ordinary case of criminal misconduct by federal officials, impeachment was not viewed as a necessary first step, and indictment prior to impeachment was not foreclosed. Practice has long conformed to this reasonable supposition. Federal officials, including judges, are indicted prior to resignation if necessary and impeachment has been a rarely used procedure.

The case of the President, however, is unique, and it is strongly arguable that the Vice President partakes of the uniqueness of the President. In the presidency is embodied the continuity and indestructibility of the state. It is not possible for the government to function without a President, and the Constitution contemplates and provides for uninterrupted continuity in that office. Obviously the presidency cannot be conducted from jail, nor can it be effectively carried on while an incumbent is defending himself in a criminal trial. And the incumbent cannot be replaced or suspended or deprived of his function as President while he is alive and not declared physically disabled, as he now may be under the 25th Amendment. (That the 25th Amendment applies only to physical disability is clear from its legislative history; the amendment would be a dangerous instrument indeed if it were otherwise.) Hence a sitting President must be impeached before he can be indicted.

The necessary continuity of the presidency depends also on the availability of the Vice President, because upon the death or physical disability of the President the Vice President – if there is one – automatically succeeds. Thus the continuity is never broken; discharge of the function is never interrupted. While the Vice President is alive and still in office, even if he be in jail or in the midst of a criminal trial, there is no way under the Constitution to provide for any other succession to the presidency than the Vice President's. Other successions can be provided, and have been by statute, to take care of the case of there being no Vice President at a time that a vacancy opens in the presidency. But no succession other than the constitutional one by the Vice President can be provided for if a Vice President is in office, which he is so long as he is alive. If the continuity of function in the presidency therefore requires that the President must first be removed through impeachment before he can be indicted, then it follows – or at least it can be strongly argued to follow – that the Vice President must equally first be impeached before indictment. It is not that there is equally a need for continuity in the office of Vice President as in the presidency. It is rather that while he is alive the Vice President cannot be bypassed in arranging the succession to the presidency, and if he is indictable before impeachment, it may turn out that a Vice President who is in the midst of a criminal trial or has been convicted or is serving a sentence, suddenly and unavoidably becomes President. This is not a consummation to be regarded with equanimity.

Since he is taking both the position that he is not subject to indictment and the position that he is innocent, will remain in office and seeks authoritative vindication, the Vice President has naturally made a request to the speaker of the House that the House, whose function it is to commence impeachment proceedings, if any, begin an investigation of the charges against the Vice President. The speaker has replied he would take no action for the time being. That is highly regrettable. The national interest dictates that the House act, by appointing a select committee to take evidence after the fashion of a grand jury, in private. It will necessarily be a while before the legal question of the Vice President's indictability can be resolved. It may be and it probably ought to be resolved in favor of the Vice President. Should that be the outcome, the House will be required to act. Since in the meantime it is a fact of life that the Vice President could suddenly succeed to the presidency at any moment, an act of commission or omission that tends to prolong the period of uncertainty about the charges against him is inexcusable if at all avoidable. The simple reason, therefore, why it is in the highest national interest that a select committee of the House begin its inquiry immediately is that to do so may in the end save time.

Alexander M. Bickel

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An Oriana Fallaci Interview

Willy Brandt

Oriana Fallaci: To what extent does the guilt complex that your generation carries along with the word "German" weigh on you?

Willy Brandt: I make a distinction between guilt and responsibility. I don't feel guilty myself, and I think it's neither just nor correct to attribute such a guilt complex to my people or my generation. Guilt is something to be attributed to an individual—never to a people or a generation. Responsibility is something else. And even though I had left Germany very early, even though I had never been a supporter of Hitler, I cannot exclude myself from a certain responsibility. Or co-responsibility. We must ask ourselves: why did he take power? And we must answer: not only because millions of people were stupid enough to follow him but also because the others were incapable of stopping him. Of course, I was young at that time. But still I belong to that group of people who were incapable of stopping him. In the life of a people, the crucial moment takes place when the people allow power to end in the hands of criminals.

Q: Chancellor Brandt, don't you ever have the suspicion that Europe is a utopia?

A: No. Europe can be achieved. Europe is being achieved. Certainly it hasn't developed and won't develop in the way our American friends thought after the Second World War when they spoke of a United States of Europe. The Americans made the mistake of comparing the possibilities of unifying Europe with what had happened in the United States. A meaningless comparison. The United States is a melting pot whose realities are too different from ours, and to create Europe is another thing entirely. To create Europe means to maintain the values of a national identity and then build over them the structure of a European government. And even though it's very slow, even though unfortunately it has no political sex appeal, even though it involves the obstacles of bureaucratic procedures, isn't that perhaps what's happening? Don't people move freely in Europe? Isn't there a level of trade such as we never had before in Europe? But of course Europe is being achieved! I'm more and more convinced of it whenever I compare the European Community of today with the one four or five years ago.

Q: But the Europe we call Europe is a very tiny Europe. It's not even half of Europe.

A: Look, I would have been overjoyed if we had been able to build a United States of Europe. If I myself could choose between a Europe entirely unified and a part of Europe unified, needless to say I'd choose the first. But it's not possible . . . We must work with a Europe divided in two, and even in three. We must work with a Western Europe, that is, one capable of moving toward a structure of common government. Then, through the policy of détente that has already begun, we must increase communication between Eastern Europe and Western Europe—despite the differences that exist between their social system and ours, between their political structure and ours. Oh, if someone were to offer me a way of uniting something more than Western Europe, I'd say: fine, very good, thank you. But it's not possible, it's not possible. More than anything, there's that existing fact that we call the third dimension: Europe plus the United States, the United States as a part of Europe in the area of security.

Q: So you're not thinking of a neutral Europe, capable of representing an equilibrium between the two great powers?

A: No. I would not look on Europe as a force placed between the two world powers. Aside from the fact that when one speaks of world powers, one should speak not of two but of three, and then one would have to speak of Europe as a fourth power, and add a fifth—Japan . . . aside from the fact that to speak of Europe as a fourth power would not be exact, since if united Europe were to begin trading, it would become the number one commercial power in the world . . . No, I

ORIANA FALLACI *is a prominent Italian journalist whose interviews with Henry Kissinger and Nguyen Van Thieu were published by* The New Republic *December 16, 1972 and January 20, 1973. The Willy Brandt interview, here excerpted, took place last month in Bonn.*

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don't want to give the impression of aiming at a Europe that would maintain a policy of neutrality vis-á-vis the two blocs represented by America and the Soviet Union. Naturally I want a different relationship with the United States than with the Soviet Union. With the United States I want a partnership, even though at the same time I want an independent policy. Furthermore I believe that even the United States would like to see us behave in a more mature way than we have up to now.

Q: Things being as they are, do you think you'll see the reunification of Germany?

A: No. I don't think so . . . Not even within 20 or 50 years do I anticipate an isolated answer to the German problem. I think that a change in relations between the two Germanies will come about only as a result of a change in relations between the two Europes . . . But mark my words: if that should happen, I don't mean to say that we will go back to forming a single German nation. I mean to say that the people of the two Germanies will decide to live a different relationship, under a roof different from the one they've lived under since the end of the Second World War.

Q: When you speak of Western Europe, you're obviously referring to a politically unified Europe. But what does this expression mean to you?

A: It means three things. The first is economic integration. But that's already going on, since I think we're heading toward a common monetary system—not in the sense that we must necessarily use the same money, but in the sense that there will be a stable relationship among our currencies. Yes, in some way we will arrive at some form of a common European bank, in some way we'll arrive at economic and monetary union. The second thing is what I call European social union. And when I say "social union," I'm not referring only to social policy in the old sense of the word, the sense used by trade unionists. That too is important, but by social union I mean what a modern slogan calls the "quality of life." In other words, I'm not referring only to an increase in productivity, I'm referring to problems of the environment, working conditions, education. One has to be fairly ambitious to bring about within 10 years a unified Western Europe that socially will be the most progressive part of the world. Ten years are sufficient, in 10 years we can do it. And then of course we'll be able to arrive at a common political structure, since that cannot exist without economic integration and social union. The third thing is to maintain our national identities. It would be a misfortune to give them up.

Q: But in this splendid Western Europe that you're ambitiously aiming at, what do we do with nondemocratic countries? For example, with Spain and Greece?

A: It's clear that no country can become a member of the European Community if it doesn't base itself on the institutions we have; that is to say, a government or parliament elected by the people, trade unions, and so on. It's clear that if a country doesn't observe some minimum respect for the Declaration of Human Rights, it cannot become part of our Europe. So it's a big problem. All the more so in that I've learned from experience that you almost never succeed in bringing freedom back in a country that has lost it. If you do succeed, it's almost always the result of a war—it's seldom that a nation oppressed by dictatorship finds a way to liberate itself without a war. The speeches and actions of others aren't much help in liberating it. Boycotting its products, for example, or refusing to go there on vacation, it doesn't do any good. But history always contains developments, and sometimes satisfying ones. Let's take Spain. I knew Spain during the Civil War, when as a young man I went there as a journalist. I stayed there about six months, especially in Barcelona and Catalonia, and I remember the tremendous hatred that divided the two sides. I remember the incredible poverty of the country people. Since then I've been back only once, to spend a vacation on an island, and another time for half a day . . . It was no longer the Spain I had known. So I wouldn't be surprised if, within a generation, Spain were to transform itself and enter into the European Community. It could happen by a process of evolution.

Q: And Greece?

A: Oh, the case of Greece is more complicated. We mustn't forget that things are not so simple as our Greek friends insist when they state that up until 1967 there was a splendid democracy in Greece, a splendid democracy that all of a sudden became a military dictatorship. I visited Greece in 1960, when Karamanlis was prime minister, and I met Kanelopoulos, who today is very courageously in the opposition. Ah, yes—a wonderful man, Kanelopoulos. Also with strong ties to German culture. We've always kept in touch during these years in which he's had to face so many difficul-

COMING: Peter Barnes takes a look at Western Canada's experiment with socialism

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ties. But the fact is that my press conference in Athens was much different from those I'd held in other parts of the world. Rather similar, I'd say, to those I'd had in countries of limited democracy. So it's not easy to foresee what will happen in Greece. All I can hope is that the forces of freedom and the future will be strong enough in that country. Because, if they are, there's no doubt that they'll find many friends abroad. The fact remains, however, that you don't regain democracy by arms. Arms serve only in the case of war. But I think that the Greek people, if they want to, can regain their freedom. . . .

Q: Chancellor Brandt, are you satisfied with what you've achieved by your opening toward the East, your Ostpolitik?

A: Almost. When I look back, I find two or three points that I might have handled differently; but not too differently. Oh, let's be clear: there's never a situation in which you can tell yourself I-couldn't-have-done-better. Besides, a person seldom acts alone—what he does is generally the result of a broad process in which he finds himself involved. Still, before you arrived, I was here with my ambassador to the United Nations and he was telling me some very flattering things about his contacts with the other ambassadors, including those from Eastern Europe. They think I've done a lot and intend to give me a good reception during my upcoming trip to New York. Well, that pleased me. I mean I was very glad to know that they're not going to throw stones at me.

Q: They didn't throw stones at you even in Erfurt, when you went to East Germany. How did you feel in front of that crowd that was applauding you so enthusiastically?

A: I was very moved but also frightened. Frightened for them, for the risks they were taking by letting themselves go like that. I did nothing but make signs to them so they wouldn't get too excited. It was dangerous for them.

Q: Do you think that history is changed because one individual comes along instead of another? In other words, do you think that the Germany of today would be the same if Willy Brandt hadn't turned up?

A: I think that individuals play a definite role in history. But I also think that it's situations that make one talent emerge instead of another. I'll give you an example. If the Second World War had not broken out in 1939, if the Allies had not been so unprepared, if after the invasion of Norway and Denmark Hitler had not launched his attack on Holland, Belgium and France, what would have become of Winston Churchill? Would he have been an exceptional man all the same, or wouldn't he rather have been a somewhat querulous outsider with the habit of raising his voice? What happened happened, and at the critical moment, since Churchill was not too old, the British were able to rally around him and have the advantage of his immense ability. But what does this mean? Does it mean that Churchill's importance would have been the same even if those events had happened five years later, or does it mean that Churchill's importance would have been less if those events had happened five years later? No, it's not easy to know if, finding ourselves in a certain situation, we are doing things that no one else would be able to do. De Gaulle did things that no one else in France could have done. And still I say that a situation must exist, and certain individuals must exist at the same moment as that situation. If the individual and the situation meet, then the mechanism is set off by which history takes one direction instead of another.

Q: Strange that you cite De Gaulle, the man who delayed the birth of Europe.

A: De Gaulle was a great man, the only man capable of removing the inferiority complex that the Second World War had brought about in France. The only one capable of making it a great power *honoris causa.* If one looks on Europe with the concept of a United States of Europe, then he was certainly not a supporter. But the astonishing fact remains that, under him, the European Community went forward instead of being dismantled. He could have stopped it and instead he let it go on. We mustn't put all the blame on him. And when we speak of Ostpolitik . . .

Q: The Ostpolitik is Brandt, because it's Brandt who went to the East.

A: Yes, but I don't deny that someone else could have developed a policy similar to mine. Even if I hadn't begun that policy in 1967 and 1968 when I was foreign minister, someone else would have done it later. Even under less favorable conditions. It had to be done, otherwise Germany would have remained in a corner and in contradiction with the policy already undertaken by its most important allies—the United States and France. Oh, believe me: the individual must be there but the situation must be there too.

Q: That's almost a Marxist argument. Chancellor Brandt, you were a Marxist as a young man, weren't you?

A: I thought I was. But I'm not sure that I worked hard enough to become one. Too bad. I should have. Because to be a Marxist as a young man is excellent preparation for becoming a good socialist as an old one.

Q: Anyway you were a left-wing socialist. Well, what's

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left in you of the socialism you dreamed of when you were a tempestuous and enthusiastic youth?

A: Look, a good portion of that socialism has become reality. If I compare the conditions in which the people lived then and live now, I have to conclude that a good portion of material security has been achieved. What remains to be accomplished today is the permanent commitment of socialism—not only as regards wages, which is important too, but as regards the strengthening of the human personality. I don't know if I make myself clear: one must know what to do with one's life. As a young man I didn't know that socialism is a permanent commitment. I thought that socialism was something to put into practice and, once this was done, to improve on: Instead it's much, much more. It's a way of combining freedom and justice and solidarity in a commitment that never ends. Socialism is like a sailor who very quickly learns to be a sailor, even if he's only a boy and has never seen the sea. Because, on his first voyage, the sailor discovers that the horizon is not a boundary line. When the ship moves, the horizon moves too—always farther on, always farther on, until it becomes so many horizons that are always new.

Q: To what degree were you influenced by Scandinavian socialism? Or rather, were you influenced by it?

A: Yes, of course. Take a country like Norway, a country that has been so important to me. One of the best experiences I've had was to live in Norway, because in Norway the peasants have never been slaves. Never. The peasant movement rests at the base of their modern democracy, and of course that influenced me. There I discovered the elements of liberalism without which humanitarian socialism cannot exist.

Q: Chancellor Brandt, I know that your eldest son is a Maoist and . . .

A: Oh, he wouldn't call himself a Maoist. He says he's a Marxist and perhaps a Marxist-Leninist. He's 25 years old now, an adult man, and he no longer represents the young rebels who call themselves Maoists. Even if his ideas are very different from the ideas of his father.

Q: Do you find in the young people of today a certain ingratitude, or a certain blindness to what has been done so that they could live in a better world?

A: No, I wouldn't put it that way. Young people today don't make the comparison between today's reality and yesterday's misery, the misery, for example, in which we were drowning during and after the war. Most of them weren't even born when we were drowning in that misery, and so they compare the reality of today with the possibilities of tomorrow. Do you see what I mean? When I talk face to face with the young people of today, I defend what we've done. I say: none of you can take away our pride in having done a good deal. However, I don't expect them to identify with my problems, since they aren't their problems. The result is that I defend my times and they defend theirs. And this happens with my children too, with the advantage that we avoid arguments. When my eldest son, who lives in Berlin, comes to pay me a visit or spends his vacation with us, we don't quarrel. If it comes to analyzing the moral category in which each of us is engaged, I cut things short: "My problem isn't yours, and yours isn't mine."

Mr. Kissinger and the Third World

Be Nice to the UN

by Stanley Karnow

New York City

It is ironic that the United Nations should have provided the platform last week for Henry Kissinger's first public performance as secretary of State. For the Nixon administration, with its penchant for secret superpower diplomacy, has systematically ignored the UN as an arena for the settlement of political conflicts—and there are few indications that this attitude is changing. Addressing the General Assembly Kissinger made clear his conviction that the only real progress in international affairs has come through bilateral nego-

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tiations, and although he expressed ritualistic respect for its "values and ideals," he essentially minimized the UN's importance as a political instrument. Despite the validity of Kissinger's observations it seems to me that the US cannot continue to neglect the UN without risking the alienation of the small countries that now dominate the world organization, and, as a consequence, the widening of the gap between the rich and developing nations.

Certainly the accomplishments of the UN in recent years have been meager. Despite the magnificent view from the huge windows of the organization's building here, its members have looked inward rather than out to the world. They are usually locked in endless parochial bickering and they churn out interminable streams of statements, resolutions and communiqués that mirror an abstract preoccupation with mankind rather than any real concern for human beings. Alexander Solzhenitsyn put his finger on this failing when he assailed the deafness of the UN to "the groans, screams and beseechings of human individual plain people." But the US has been responsible to some degree for the organization's paralysis.

In 1971 Nixon and Kissinger rejected pleas from their own representatives in New York to raise the issue of Pakistan's repression in Bangladesh at the UN but later sought, apparently for propaganda purposes, to persuade the organization to condemn India after the war in South Asia had erupted. Similarly they never seriously considered the possibility of using the UN to resolve the problems of Southeast Asia, and they have bypassed it on a number of other questions ranging from peace in the Middle East to the limitation of strategic weapons. Nor have they, apart from rhetoric, shown much interest in the UN's economic, social and humanitarian activities. The United States is a year overdue in its contribution to the International Development Association, the World Bank's soft-loan outlet. During the recent Senate hearings on his confirmation Kissinger could not identify the US delegate to the UN's Human Rights Commission. Not many Americans could identify the US ambassador to the UN, John Scali, a former newsman and White House aide, who is quite a comedown from such prominent envoys of the past as Henry Cabot Lodge, Adlai Stevenson and Arthur Goldberg.

This disdain stems largely from the fact that the UN, which with 135 members has almost tripled in size since its creation 28 years ago, is currently controlled by Asian and African states that refuse to serve as American tools. The days are gone when the US could contrive to make the UN its shield in an episode like the Korean war, and it would be unthinkable now for the secretary general to permit the FBI to investigate the "loyalty" of Americans employed in the Secretariat, as Trygve Lie did in the early 1950s. The US no longer leads or manipulates the UN but either abstains or votes against the majority in three out of four instances. The administration is also contemptuous of the UN's inability to grapple with international terrorism, famine and even academic questions such as defining the word "aggression," a task that has been going on for 23 years without visible success. Ameri-

Conversations in the Court

Richard's Way

LORD KISSINGER:
The war continues in the East,
Allies weak and weary,
Victims of the change of times.
For Parliament has had its way,
Our best machines of war
Are pulled away,
And silent.

SCRIBE:
The King's Great Doctrine, Richard's Way,
Has flowered, he's said, as no where else
On Asia's fringe. Where is that bloom?

LORD KISSINGER:
It takes a time for those of lesser rank
To see perfection at a single glance. The
Vision of his Majesty was simply this:
Our aid is best dispensed to those
Who have the troops on hand to make
Good use of it.

SCRIBE:
At home, my liege, another way prevails:
Ask not what King can do for you,
But what one can for own self do.
If this be true at home,
Why not true afar?

LORD KISSINGER:
The perfect plan of state, old scribe,
Reveals page by page to dimmer lights.
The ending of the book is known only
To the all-foreseeing Author.

SCRIBE:
The book is large, the pages still uncut
As far as I can tell. What if in fact the book's
A blank, and pen and ink have ne'er come near?

LORD KISSINGER:
The air seems close, the sun is shining fair.
I think I'll take a stroll among the flowers.

SCRIBE:
Thank you, Lord Kissinger. Another time,
perhaps.

Robert J. Myers

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can public opinion has increasingly come to share this contempt as evidenced in sets of Gallup surveys showing that approval of the UN in the United States dropped from 87 percent in 1959 to 43 percent two years ago. The inertia of the UN is aggravated as well by the low quality of its permanent staff, much of which is made up of people placed in the organization merely to fill national quotas. In her book on the UN, *Defeat of an Ideal,* Shirley Hazzard cites a current Secretariat joke that is more pathetic than funny:

"What do you do at the UN?"

"I'm a Saudi Arabian."

Even the organization's boosters find it difficult to offer positive reasons for supporting the UN. The former chief US representative, Charles Yost, says that the UN's most important quality is "just existing." Edward Korry, head of the United Nations Association, calls the UN "cheap insurance" at a cost to the US last year of $482 million, or about one-third of the organization's total budget. The present Secretary General Kurt Waldheim puts forth equally negative arguments in favor of the UN. "There is no alternative to the UN," he said the other day, "therefore it will survive." It strikes me, however, that a stronger case for backing the UN can be made in light of the prospect that the developing nations known as the Third World will pose an increasingly critical threat to the industrialized states in the years ahead. The UN is the only forum in which these nations meet and bargain with the powers—and, in particular, with the US.

Writing in *Foreign Policy* not long ago C. Fred Bergsten, a former Kissinger aide now at the Brookings Institution, asserts that the leverage of the Third World countries on the US is growing, especially in the economic field. In the first place, Bergsten points out, the US will become more and more dependent on the Third World for its energy supplies and other natural resources. Oil imports alone are expected to rise by $20 billion by the end of the decade, and there will be a large rise in the need for the other raw materials on which the US relies, such as copper, tin, natural rubber, bauxite and coffee. Bergsten estimates that the supplying countries can exert pressure on the US, as in fact the Arab states are now doing, by withholding their resources, hiking up prices or discriminating against their American customers in favor of European or Japanese competitors. At the same time Third World countries could use their huge export earnings to disrupt international money markets, as some Arab states attacked Britain in 1967 and 1971 by converting their sterling balances. In addition Bergsten says the developing countries potentially menace US investments, which exceed $23 billion in Third World nations and represent about five percent of American corporate profits. And, among other things, Third World nations could create additional economic troubles by deliberately cutting the prices of their manufactured exports. Bergsten concludes that the US must, in its own self-interest, adopt "much more cooperative and responsive policies" toward the less-developed countries, and he adds that economic concessions cannot be bought now any more than political allegiance was in the past. In my view cooperative and responsive policies toward the Third World can be pursued, in part at least, within the framework of the UN.

In his maiden speech here Kissinger gave the UN delegates the kind of idealistic stuff they like to hear. He talked of striving for a peace "whose stability rests not merely on a balance of forces but on shared aspirations," and he called for a "spirit of compromise produced by a sense of common destiny." He emphasized his dedication to the notion of a global "community" in which the US would promote cooperation and conciliation and programs aimed at preventing the world from becoming "divided between the permanently rich and the permanently poor," and he asserted the time had arrived to reach "beyond the bilateral diplomacy, the pragmatic agreements and the dramatic steps of recent years" in order to attain "a comprehensive, institutionalized peace."

But if this sort of oratory was tailored to suit the UN, it bears little kinship to the genuine Kissinger. In some ways, as several observers here noted, he was adapting to his audience in an effort to portray himself as a full-fledged foreign minister rather than the Lone Ranger. His approach also demonstrated his sensitivity to the differences between attitudes along the banks of the Potomac and by the shores of the East River. In contrast to what he said here he told the Senate Foreign Relations Committee that the UN cannot effectively settle disputes among the powers and should therefore concentrate on issues that "have no political content," such as the problems of food, energy and environment. Yet these apparently nonpolitical questions *are* political, as is evident in the scramble for oil, which is currently exerting enormous influence on new alignments in the Middle East. Moreover by suggesting that the small countries that comprise a majority of the UN take a back seat politically, Kissinger appears to be relegating them to second-class status that may stimulate their more explosive characteristics. As Isaiah Berlin once commented: "It is a lack of recognition that, more than any other cause, seems to lead to nationalist excesses."

Kissinger's appeals for peace also sounded curious when matched against the fact that the Nixon administration is struggling for bigger defense appropriations and against a unilateral reduction in the US military establishment abroad, and his expressed devotion to "justice" and "humane values" strangely contradicts the White House's intolerance of dissent either at home or abroad. In any case his debut did not shake the UN out of a lethargy in which it is bound to remain as long as it continues to be, as it was last week, only a plush soap box.

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Stanley Kauffmann on film

The New Land

(Warner Bros.)

Ingmar Bergman says that Jan Troell is the best thing that's happened to Swedish cinema in 10 years. Too mild. Troell is one of the few really important things that's happened in world cinema in that time. This is sweepingly confirmed by the second half of his two-part work based on a series of novels by Vilhelm Moberg. The first part was *The Emigrants* (*TNR*, Sept. 30, '72); the second is *The New Land*. Each can be seen separately, but it would mock *The Emigrants* —and Troell—to deny that you enjoy Number Two more for having seen Number One. Like the first part the second has bumps and obvious surgical scars, but it is lovely. Together the two parts describe a long curve in the history of the 19th century. In story it is the most ordinary of emigrant-immigrant family chronicles. In realization it is—to use truly a much-battered word —an epic: large-spirited and fine-grained.

If an epic is a work that deals with the adventures of a national hero, then this double film is a double epic: because it has two heroes, the farmer Karl-Oskar and his wife Kristina, and it involves two nations, Sweden and the United States. *The Emigrants* showed us the couple, the farmer's brother and their friends in a Sweden that enslaved and stifled them; then took them through a terrible sea voyage to Minnesota. The last, wonderful shot was of Karl-Oskar (Max von Sydow, blessed among actors) sinking to the ground with his back to a tree on which he has just blazed his mark and claimed his land, with a smile on his face that concluded Part One and promised Part Two.

The New Land begins in the same year, 1850, as Karl-Oskar brings his wife and children and his brother to the lakeshore he has claimed. The events that follow are, in the main, predictable—there are few narrative surprises. But in a work of this kind, whose principal purpose is to portray *time* absorbing and consuming human life, we don't want surprises any more than we want a growing plant to develop freakishly: we want the story to fulfill its nature. We want to see more children come, the farm expand, the brother grow discontented and set out with another young Swede for California gold. We know that husband or wife will die first and, in a way, we are looking forward to the death scene of the first because we care so much for both. In a work that has the old-fashioned daring to reach for the natural rhythms of earth and labor and growth and aging, those pulses are the core of the work, rather than dramatic tensions and conflicts.

Not that there is no drama. The danger of the Sioux on the periphery of their lives is constant and, after some years of mishandling by the US government, finally erupts into slaughter. After the suppression of the uprising, almost 40 of the Sioux are hanged, and in the long shot of the mass execution, Troell transfixes some American tragedy. And there is a sequence in a fierce blizzard (I have never seen snow and cold more graphically used than in both these films) that traps Karl-Oskar and his small son in their ox-drawn sled. Earlier we have seen, touchingly, how much the acquisition of that ox meant to him and his wife—a lovely silhouette shot when he brings it home and she meets him. Now, when his son begins to freeze, Karl-Oskar unharnesses the ox, kills it with an ax-blow, splits it, eviscerates it, and snuggles the boy inside the warm carcass while he goes for help.

Yet the weakest sequence in the film—not short either—is the one that tries most explicitly for drama: the series of flashbacks that tell us, after the brother returns from California, what happened out there. This material had to be included, to explain how the brother got the money and what his state of mind is, and it had to be differentiated in texture from the farm narrative; but the camera angles, choice of lenses and editing show a strain for effect that never touches the body of the work. On the other hand, when the brother, who is suffering both from the California trip and an ear injury he acquired in Sweden, resigns himself mutely to die, the sequence in which he goes out in the forest to do so is a small discreet elegy for a man who will never be understood. (And underneath it we hear the flute music, by Bengt Ernryd and George Oddner, that accompanied his setting-out on the Western trip.)

The brother is played by Eddie Axberg, who also worked on the film as a sound engineer. We've now had the chance to watch Axberg from Troell's exquisite first film *Here's Your Life* through this long film, and have seen him grow, literally and figuratively. Confidence in Troell is, I believe, the key to his growth as an actor. I have rarely seen a face so homely by objective standards become so touching, so winning.

With Max von Sydow, as Karl-Oskar, I have to restrain myself from gushing;

(continued on page 33)

Films Worth Seeing

American Graffiti. George Lucas probes and fixes adolescent culture of the '60s. Often goes through cliché to quintessence.

Bang the Drum Slowly. The baseball picture for those who do and don't like baseball. Good sentiment and humor, though inconclusive.

Cops and Robbers. Two NY cops hoodwink some hoods and make a million apiece. Frequently funny and *thoroughly* crooked.

The Friends of Eddie Coyle. Robert Mitchum as the Willy Loman of the underworld. Grim, gravelly, an almost clinical study.

The Hireling. Sarah Miles and Robert Shaw are excellent as lady and chauffeur in a well-made small tragedy.

Last Tango in Paris. Despite what you've been led to think, the Brando-Schneider sex scenes are about a third of the picture. The first few of them are genuinely strong.

State of Siege. Costa-Gavras, who did Z, deals with the murder of a US official in Uruguay, 1970. Tendentious but gripping; or gripping but tendentious.

A Touch of Class. Glenda Jackson can do *anything*, and here she's in an old-style comedy-romance, updated. Mostly fast and frivolous.

SK

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The Sullen Craft Of Literary Editorship

It is an awesome task. Before me there have been notable persons from Edmund Wilson and Malcolm Cowley to the retiring Reed Whittemore. I am presuming to operate, against such odds, in a magazine of record and note. Henri Peyre once discussed the state of American book-reviewing (*Daedalus*, 1963) and said: "*The New Republic* and *The Nation* have had their vicissitudes. . . . At different phases, however, they have provided the very best, the most discriminating and the most prophetic view of literature in America." This is a formidable opinion to come in upon, and I read it with the same sinking sense that Dante must have had at the gates of hell over which was inscribed: "Abandon hope all ye who enter here." But it may make the way straighter, if not easier, if at the start I put down some tentative thoughts, however high-flown and idealistic, on literary editorship, the art and craft (sullen, in Dylan Thomas' adjective for the poetic process) of which, with considerable presumption, I undertake this month.

It is obvious that a literary editor begins with, or develops quickly, some sort of "policy." As far as I now know, mine is a commonplace: to try against the great odds of the publication of thousands of books in English a year, to discover a) books that are significant, by virtue of their subject matter or their character, hopefully both, b) books that promise to be of interest because they are by writers of proven quality in their previous work, or in their lives and accomplishments in some area of cultural or political life and c) books that come marked neither with prior fanfare nor notoriety for the author but, sleeper-like, because of original vision or style or subject matter or insight can be spotted as worthy of, indeed *demanding* of, critical notice.

In any reviewing policy the first two tenets have not turned out to be too difficult. It is the third that makes one hope for some kind of divine guidance —or superior luck. To think that one can accomplish all three seems to me to border on the dilusory.

The separation of books worthy of notice from the vast flood of those which (at least to my limited vision) seem not to be is the first hazardous step. The second, during which an editor takes his life in his hands, is the choice of reviewer. It is easy to settle for one's friends—they are, like Mount Everest, *there*—or for the friends of the writer-of-the-book-to-be-reviewed who will guarantee sympathy if not always absolute approval for the work at hand. I would hope to avoid both these traps, and (again with some supernatural assistance) to light upon reviewers of sound, informed judgment who write readable even lively prose, and who can be depended upon to like with a vengeance and to dislike for solid reason and with justice.

In pursuit of some advice about this chimera I went back to the first issue of this magazine (November 7, 1914) in which Rebecca West wrote about the state of criticism in England at the start of World War I:

> A little grave reflection shows us that our first duty is to establish a new and abusive school of criticism. There is now no criticism in England. There is merely a chorus of weak cheers, a piping note of appreciation that is not stilled unless a book is suppressed by the police, a mild kindliness that neither heats to enthusiasm nor reverses to anger. We reviewers combine the gentleness of early Christians with a promiscuous polytheism; we reject not even the most barbarous or most fatuous gods.
>
> No economic force compels this vice of amiability. It springs from a faintness of the spirit, from a convention of pleasantness, which, when attacked for the monstrous things it permits to enter the mind of the world, excuses itself by protesting that it is a pity to waste fierceness on things that do not matter.

Under another prescription, but heavy with donnish irony, a now-forgotten Oxford professor, Edward Copleston, writing *Advice to a Young Reviewer* in 1827, urged: "Write [he is speaking of criticism] what will sell . . . your utility depends upon your popularity; and popularity cannot be attained without knowing the taste and inclination of men . . . *follow* the public taste, instead of taking upon you to *direct* it."

The irony of these remarks aside, Copleston by heavy indirection points to a tendency I can only hope to avoid, the desire of reviewers to establish themselves, to command notice for their own persons rather than for the book under their hand. "Character" cannot be entirely eliminated from a review of any worth. The reviewer is always the faintly discernible figure behind the arras, but he is not the leading man, he is not playing the main part in the act of criticism, he is not the star. The display of his private animus or his own eccentric style, entertaining and excellent as they both may be (here H. L. Mencken comes to mind) is unseemly and irrelevant to the act of criticism. Criticism takes its strength from the authority of the reviewer's posture, an authority that rejects "a faintness of the spirit." I doubt that there is any longer eagerness for an "abusive" school unless the work to be considered is overblown, pointless, pretentious, inviting upon itself by its silliness the legitimate "fierceness" of the critic.

To make the point once again: the reviewer should be allowed no curtain calls on his own. His sole purpose is to cry "Author, author!," to lead the applause, whenever possible, like an opera claque and to speak firmly, but in moderate tones, when there is no call for praise, when the product is unworthy. Paul Horgan in his notable recent reflections on a number of subjects (*Approaches to Writing*, Farrar, Straus & Giroux) suggests one of the most fertile grounds for the critic's rake:

> Most contemporary writing is content to present raw material, without recourse to the process of refining it, in the sense of extracting for survival only the non-base elements. It goes without saying that we are here not making a moralistic estimate—only a criticism of a technical process and an indictment of laziness on the part of insensitive craftsmen.

In another place in the same volume he speaks of "the bite of type upon the

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page." I like that phrase and would hope that, in this respect, the back of the book would match the front. It should have wider points of reference than just the "literary," by which I mean it should in its totality speak to the general cultural scene in this country and beyond, perhaps an over-ambitious insistence, but I intend it in the sense that the front of the magazine reflects, often, a political and social philosophy beyond the implications and "facts" of one event in the record of the week's history. The front has, traditionally, suggested something more than the bare bones of the nation's anatomy. It prognosticates, often, about its general health or sickness, the toxicity of its governmental procedures or, hopefully, the realization of its promises.

An evaluation of "the literary situation" in Malcolm Cowley's term ought to be wider, broader and deeper than the review of a single book or play or film or art or TV show or the publication of a poem. Ideally, again ideally, it should suggest the color and scope and texture of the cultural life of the country in which it appears. And if this is an impossible demand on the single piece of writing, then when the total of an issue or a volume of issues is calculated *that* ought to present an addition, a sum of a time and a place, a bill of particulars that constitutes a significant whole.

Reading this now it occurs to me that this is the sort of brave manifesto written at the start of what can only be, for an editor, a downhill progress, a giant slalom leading to the bottom where one may safely predict one will land feet up, defeated by time, energy, the enormity of the wall of the books that fills up every month, and the margin for error in selection that it offers. Paul Horgan reminds us that "we now exist in the Age of the Loss of Choice." The incredible profusion of publications seems to make this a profound observation, but there is still this of Horgan's to keep in mind in the critical sloughs of despair:

> What gives us pleasure in reading? Cast of mind? Profundity of thought? Technical excellence? Ingenuity of invention? Pulse of life? Any or all of these, at any level of writing, from the most serious to the lightest—provided the author believes wholly in what he is doing.

For the reviewer to respect that recognition is to avoid the destructive fierceness and abusiveness of the worst criticism and to pay our respects to the best that the creative mind has to offer, to assume the "prophetic view of literature." Paul Horgan (to whom this piece owes an obvious debt) puts it this way, for my use and for the others who work at the back of the book: "Every act of art is an act of love."

Doris Grumbach

NOTES ON CONTRIBUTORS

JOHN SEELYE *teaches English at the University of Connecticut, Storrs, and is the author of, among other works, the forthcoming* Dirty Tricks *(Liveright).* LOUIS COXE *is a poet who teaches English at Bowdoin College, Maine.* RALPH WHITEHEAD, JR. *has covered police news in the past five years for the* Chicago Sun-Times *and WTTW-TV.* WILLIAM RUECKERT *is professor of English at the University of Rochester, author of several books on Kenneth Burke and a forthcoming study of William Faulkner.*

When There Was Life . . .

The Best of Life

edited by David E. Scherman

(Time-Life Books; $19.95)

Copies were stored at the top of the attic stairs in parallel piles, *Life, Collier's, The Saturday Evening Post,* and the greatest of these three was *Life.* On a rainy day sitting at the top of the stairs I reread them by the light of a single bare overhead bulb, and the images are fixed forever in my mind, pasted in the infinite firmament of memory like cardboard moons. They provided as well the literal stuff of grade-school scrapbooks and illustrated "reports," the magazines cut up until they were a mess of ragged tatters, just in time for the paper drive.

When *Life* was first published in 1936 I was five years old, the threshold age of literacy and memory, and until the magazine discontinued publication, I cannot remember a time when it did not exist for me. It belongs, like FDR and my parents, to my own particular Family of Man. There is no icon that I cherish more, no panoply of images that brings back with such force of shock the recollection of times past, tranquil or otherwise. When *Life* ceased—died, rather—it was a personal loss, a departed loved one. Henry Luce, Lux, Light was the Prometheus of my generation, bringing us *Life, Time,* and to some, *Fortune.* This book is his, and therefore our, memorial; testimony to Luce's genius is its imperfections.

As with Ezra Pound one need not espouse Luce's politics to admire the force and form of his genius, his effect on shaping the collective memory of an age. It was, primarily, an age of war, *Life* springing from the cloud of the inglorious rape of China by Japan and dying in the tangled fire of the equally inglorious epic of America in Indochina. In its pages the art of wartime photography was transformed—like war itself, by means of technology—from the fixed and formal craft of Gardiner and Brady to the fluid, circumstantial medium of Mydans, Duncan and Capa. To move from Brady, following ponderously in the van of conquering armies, to Robert Capa, caught and killed in the cross fire he was recording, is not only to trace the development of wartime photography but also to understand something about the degree and kind of war love that, by the time *Life* died, had turned into revulsion and repudiation, gorged by repletion and appalled by the expense of spirit in a waste of shame.

How is it possible to separate Luce and *Life* from the spirit of the age, to determine the extent to which they shaped as well as reflected the times they reported? To comprehend the force of that record one need only compare *Life* with *Look,* their very titles indicating a de-

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clension in power and assertion. It is somehow less conceivable to me that there would be a book called "The Best of Look." From its very first issue, the cover of which featured the castellated towers of a WPA dam, *Life* strove for a kind of native American monumentality, the pictures of dancing dam workers and taxi girls by Margaret Bourke-White fixed with a stiffly archaic grace, like the stone images on a Roman frieze, icons of Empire. That *Life* had on its terminal cover no such pictorial assertion, but rather a montage of printed names and titles—the fleeting, hysterical chatter of the public world of 1972—suggests the reason for its death.

We have seen since 1936 a terrific multiplication of public images accompanying the increased complexity of our times, a world in which the diversions of dam workers no longer seem central or significant, the monuments of government—whether dams or highways—ambiguous blessings. It is a world from which one would have difficulty in selecting any single, dominant, symbolic picture. The tendency of *Life* in its later years to abandon Luce's commitment to People and Places for the neutral ground of Science and Art reflects the dilemma that may in part have led to its demise. When *Life* became the record of technology, its most vaunted photograph a color picture of the earth taken from the moon, *Life* became Death. Significantly the last picture in this collection is of a baboon sitting chest-deep in a pool. We can read it as America in Vietnam, or the latest and last in the Cute Animals Department, but it is without question an abnegation of the human for the bestial image.

The tendency of David Scherman to concentrate on the material from the last years of *Life* is understandable—and regrettable. Associated with the magazine from its earliest days, Scherman seems to have avoided a nostalgia trip for a defiant demonstration of pictorial excellence, which here, as in the last years of *Life*, depends to a large extent upon technological factors. Technically superb, in "living color," such pictures are virtuoso pieces, without the gritty strength of earlier images. Like photographs in *National Geographic* and *Natural History*, which comparison they often demand, most of them lack the force of statement that the black and white classics of the '30s, '40s and early '50s made. Because of this insistent pictorial emphasis, moreover, the photographic essay, a unique genre that *Life* made its own, is sadly scanted. Such essays admittedly become quickly dated—as the September *National Lampoon* parody suggests—and Scherman has elected to stress the timeless qualities of his magazine, its permanent contributions to the art of photography rather than its value as record. The result lacks the flavor of the magazine itself, whether the chauvinist bite of Luce's *Life* or the more liberal flavor of its last years.

The result, it seems to me, is paradoxically ephemeral, page after page of fine photographs that add up to nothing more than a portfolio of unrelated images. Whatever *The Best of Life* is, it is no substitute for a file of the old magazine itself, and its emphasis, like the later years of *Life* on which it is so dependent, reflects the malaise that killed Luce's creation, a lack of purpose that was perhaps unavoidable.

Henry Luce's paper monument was based on certain secular truths, on a faith in the permanence of what were once thought of as "American" values, the most recent perversion of which has as its symbol a living parody of the old, Protestant-ethical vision of America as a land of eternal progress, endless opportunity, forever climbing an upward slope bearing a banner of strange device. On top of Mount Suribachi that climb reached a peak from which it has ever since declined, the planting of the banner on the moon a travesty of national enterprise. During the past decade we have lost a number of symbols of earlier American values, John Fitzgerald Kennedy and *Life* magazine among them. We have seen played out a symbolic drama of obsolescence that bodes ill for the Republic for which they stood.

Of course simple economic failure is taken by most to be the chief cause of the magazine's death. One can't deny the facts of money but may put them aside as the obvious and not singular cause. Then it has been said that *Life* was done in by television, but this is a complex point, for the competition between the fixed and moving image was played out against the drama of the '60s, in which the death of Kennedy and the course of the Vietnam war shattered the old, monumental image of America as a land of sensuously curved furrows, debutante balls, brave soldiers muddied in a noble cause and fun and hijinks at a family reunion. These things may never have been the "real" America, but that is a quibble. By Luce and by God we believed in them once.

Nostalgia means literally homesickness, and a trip through the yellowing pages of *Life* is a Thomas Wolfe voyage

The Southern Review

Autumn 1973

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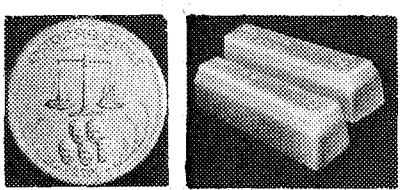

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to a past that cannot be reclaimed, a past that may never have really existed save in the popular imagination as influenced by Henry Robinson Luce. Still the most terrifying journey is the growing realization that however imperfect and however much falsified a record *Life* provided of our own generation, it *is* a record, and that with the death of *Life* no photographic chronicle of our times now exists. Television, for all its ubiquity, is a sometimes thing and no library of videotapes can ever provide the kind of resource *Life* supplied. The moving image has its virtues, but cannot equal the singleminded force of a fixed photograph, the tape of Oswald's death hardly having the power of one picture showing the moment of impact. More important, who, wishing to review the Year in Pictures, will have ready access to Walter Cronkite's or John Chancellor's files? Even Charles Kuralt "On the Road"—the nearest equivalent television boasts to the rural bias of Luce's *Life*—passes by and is forgotten with the rest. In effect we have lost our public memory, a loss which this collection seems to celebrate, rather than mourn.

"To see life; to see the world; to eyewitness great events," wrote Henry Luce in *Life*'s prospectus: "to watch the faces of the poor and the gestures of the proud; to see strange things—machines, armies, multitudes, shadows in the jungle and on the moon . . . to see and take pleasure in seeing; to see and be amazed; to see and be instructed." This initial purpose has surely been usurped by television, whose triumphant display of moving shadows on the moon transcend anything that *Life* could boast. But immediacy is of the essence of ephemeralness, sensuousness being the antithesis of things of the spirit. By printing his fleeting moments on paper Luce guaranteed them a purpose for which they were not captured, a photographic record of the human comedy in America, whose laughter grows ever dimmer as we move on.

Television has as its root the Greek word meaning "distant," but there is also the Greek *télos*, meaning "end." We seem to be striving toward a perfection of ephemera, an attainment of the everpresent. Now a transcendental goal perhaps but one that implicitly denies the validity of history, of record, of permanence. Whatever we may call this state of perpetual immediacy, it is not *Life*.

John Seelye

A Clutch of Poets

Poems: New and Selected
by George Mackay Brown
(Harcourt Brace Jovanovich; $5.95)

The Story of Our Lives
by Mark Strand
(Atheneum; $2.95)

Studies for an Actress and Other Poems
by Jean Garrigue
(Collier; $1.95)

Merciful Disguises
by Mona Van Duyn
(Atheneum; $10)

Should a review of diverse books begin with generalization? All right: the key to good poetry today is subject matter. The four poets under consideration (and the gun?) here show great diversity of mode and manner, but with the exception of the lone Scot, they have a very similar subject: the self and personal relationships. These of course vary as the modes and manners vary: the ladies are by no means writers of ladyverse, nor are the gentlemen jocks. Yet all four poets have their sources, as who doesn't. Perhaps the immediate point of interest is to look at those sources and to see what the poets make of them. First, George Mackay Brown's *Poems*.

I read the book with considerable interest and found these poems at least intermittently pleasurable. But to me they are both repetitious and derivative in ways that deprive them of true meaning: they lack poetic authenticity in the sense that one feels that they try for it too hard and succeed chiefly in reminding one of Tolkien or saga-talk. Periphrasis and hyphenated epithet, those Viking tricks of style we find bruited about among the poetic ecologists, occasionally mar the effect of an individual poem. I found that the work, though nearly always attractive at first approach, failed to sustain—not analysis, but true interest, concern. The language and the rhythms do not run deep enough; one feels that we are in an archaic world of someone's contrivance, contrivance that has not become as yet creation. The frequently anecdotal structure, the repetition of names and details from poem to poem, should, it appears, give a kind of unity and density to the entire collection. The poet himself wants his book to be a unified experience for the reader, makes a valiant attempt and achieves a partial and by no means inconsiderable success. Yet in the end the book fails to "move out," to put us back into that living past that derives from a deeper source than one man's single experience. There is one exception in the book, the poem "Tinkers," a work made up of traditional, folk, formal and conventional elements wholly authentic and right. If the other poems in the book strike me as the very interesting work of a talented prose artist, this one shows that Mr. Brown can write not only poetry but a poem, which is more than most poets can say.

Mark Strand is a minimal poet, one who quite deliberately has dispensed with all poetical tricks and baggage to get at the peculiar essence of an experience and yet at least tangential to the experience of the reader. Here there are risks. The minimal approach is bound to mean either repetitiousness because of the poet's refusal to deploy vocabulary, syntax and metaphor, or dense obscurity because of the privacy of his experience and his refusal to use general reference for the reader's convenience. Strand seems to have adopted the former tactic, in imitation of the techniques of the field theoreticians on

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the one hand and the New York School even more strikingly on the other.

Strand is a poet of considerable talent and achievement who has attracted notice from the beginning. He should be able to take a caveat from this reviewer if he is able to take some of the fulsomeness he has had to bear in the past. What I have to say on the negative side is simply that I think *The Story of Our Lives* is, as a volume of poems, premature. The poet has been in too much of a hurry to publish another book; the reader feels he is reading the same poem again and again. The book is too short, its individual poems too long. There is a great deal of "as if" writing in the New York manner. It runs thin, it states, then states the opposite in a kind of precious fondling of "personal relations" that never find their specific place in a world of things and weather. "Elegy for My Father" has a muted eloquence, a liturgical impressiveness that cannot fail to seize and hold the attention and imagination. The elegy begins firmly and establishes the "witness of the body," and the whole realm of pastoral elegy lingers as an echo. The "devices" are old, the poet's use of them, if not exactly new, imaginative—which is better. He makes the most of a diminished thing and calculates an ambiguity that teases the mind: "Not the view from your window, the view of the graveyard./ Not the city. Not the terrible city with its wooden buildings." Something works here beyond the word itself. The language works by accretion, by repetition, a conscious and of course traditional enough technique but in the case of this poem and this book, one which the poet has perplexed to an extreme. I think that the "Elegy" is the best of the book.

The poems that make up the rest of the book are more exercises in a single mode than they are poems: the will does the work of imagination; the poet is married to his mode and cannot break away. Though I can and do find lines, passages, that tease and "intrigue," I am Philistine enough to want more subject matter and less talk, to get out of this solipsism not by infinite variations on the solipsistic, but by earth air fire and water. Perhaps I look for and want the wrong things, while still admiring Strand's ability and talent.

We have Jean Garrigue's book and some of the old magic lingers, though I fear most of the charm and mystery that makes the *New and Selected Poems* (1967) so attractive has pretty much fled. I feel a certain sadness in this posthumous

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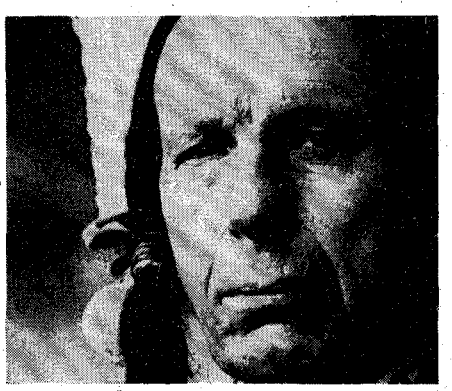

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—Victor Gold, *Former Press Secretary to Vice President Agnew*

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—John Osborne, *Noted Nixon Watcher*

Pep up your outlook with *The Tragedy of Richard II.* Paradoxical? Maybe. This satire on the current political scene is plotted along the line of Shakespeare's *Richard II,* a kind of formula Barbara Garson successfully used in *MacBird.* But if the Bard has supplied the plot, Myers has provided up-to-date punch and insightful humor. It's fresh as tomorrow's headline, perennial as a classic, witty, clever, funny, good satire!

THE TRAGEDY OF RICHARD II: The Life and Times of Richard II (1367-1400), King of England (1377-1399) Compared to those of Richard of America in his Second Administration, by Robert J. Myers; 128 pages; illustrated;

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book, as though Jean Garrigue could no longer sustain her vision in the face of events. Once in a while there are echoes, strains of the old magic, of the enchantment her poems can convey when she mingles dream and reality, magic and fact. "Pays Perdu" from *Country Without Maps* may sum up and distill that essence more perfectly than any other poem of hers. In this volume though I find a diffuseness and uncertainty that may not have been a matter of "failing powers" but rather a function of a new start, an engagement with new material. To our loss Jean Garrigue did not live to finish what she began. Even so there are poems here that we wouldn't be without, particularly the first of the volume, "Song in Sligo." In it she speaks of what a few of the poems address themselves to: "It was the summer of the fires," and the poem ends with this: "I had your voices and your leafy pools,/ I have these poisons we must choose."

Many of her poems have to do with the far away, if not necessarily the long ago, yet Jean Garrigue felt deeply and perhaps with a sense of guilt the terrible times she knew in her last decade of life. "What's the use!/ I can't believe!/ With whom, with whom to go to the moon?" She agonizes over the war and the government's vendetta against dissenters. What is the poet to do? She can find no answer until it is too late, as when in the final lines of "The War Has Just Begun" she concludes by seeing that ". . . to have the design/ The thing you have lost suddenly clear,/ Pressing against you,/ Then breaking out/ Into the whole sight/ And your half-finished life finished in it." The agonized pun in that final line is revelatory.

I wished I liked more of these poems. Yet there is a variety and power in the syntax and the metric that sustain even if one is often let down. She writes about her own experience in a vein that is neither the "egotistical sublime" nor the confession of not very much. In other words we feel that behind the best of Jean Garrigue's poems there is a whole person whom we would like to know. To give us the definitive map of her strange country, I hope that one day soon we will have a final volume of her best poems, among which there will surely be a few from this last book.

Mona Van Duyn's country is by no means foreign: we all know where we are in this one. That is part of the subject: the modern woman as poet in the suburbs—gardening, looking after house and husband and children. What Mona Van Duyn writes about strikes one at first as ordinary and on its face rather dull. Tone is everything; and the poet shifts easily from the ominous, the portentous, to wry humor and self-deprecation. At times one is perhaps too conscious of influences—Ransom, Marianne Moore, to both of whom she pays a witty compliment in a poem. But she is really under the influence of James Dickey, particularly prosodically, if that's the word. The basic "beat" is the thumping anapest looped over long lines; I think this beat or cadence has a tendency to coarsen the line as well as the texture of language. Certainly it encourages the tendency toward a kind of garrulousness, of elaborate wind-up before the pitch. Metaphor is so extended that it finally trails off into not much of anything. The poet seems unwilling to quit while she's ahead and goes on telling us past the point of interest or charm.

Yet charm is in many ways the key to her success: one's not in this book for a lot of poems nor a series of made objects but for a written-out diary of the poet as one of us: humorous, observant and lively—as we'd all like to think we are. Mona Van Duyn, if she never tries us very much, never really falls flat. The poems, nearly all of them, are interesting to read because of her company, her persona summed up in the last line and a half of the first poem: ". . . that serious recreation/ where anything is still possible—or almost anything." The poet as actor or character is her chief strategy. The poet as woman and vice versa comes before us as the occasion and subject of most of the poems. But the strategy is not offensive or tedious as we might expect; both poet and woman are worth knowing. Together they tell the story of the days and occasions of their lives together, a narrative full of incident. She is at her best in poems such as "The Fear of Flying" and "A View" where she talks rather than addresses. The loose line, the casual air and colloquial tone seem suitable, and the poems build to a climax that is also anti-climax, as in life. Her tone is sure and attractive; the voice steady but ruefully humorous. Some of the more elaborate and formal set pieces impress me less. But this book is a good one, a pleasure to have and to move around in, for the pleasure of the company.

Louis Coxe

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Chicago Fireworks

An American Verdict

by Michael J. Arlen

(Doubleday; $6.95)

In 1969 a party of Chicago policemen raided a West Side apartment used by the Black Panther Party's Illinois chapter. They struck before dawn and carried an illegal weapons warrant, as well as their own tommygun and other firepower. The officers, assigned at the time to the staff of the Cook County State's Attorney Edward Hanrahan, claimed they'd stumbled into a prolonged gun battle set off by Panther shots. Police bullets killed two of the Panthers, including Fred Hampton, 21 years old, the baby-faced ranking officer of the state chapter, as he slept in his bed beside his pregnant girl friend. Later FBI ballistics analyses showed the raiders fired as many as 99 shots while their nine victims managed to fire one.

After an internal police inquiry, after a coroner's jury study, after a US grand jury investigation, after a special investigation by a Cook County grand jury and after more than two years of public pressure, Hanrahan—and 13 others, prosecutors and police raiders—were finally brought to bench trial on charges involving not the raid itself, but its cover-up. They were acquitted.

So goes the narrative thread of Arlen's book, a story already told by the press, local and national. Arlen adds little of substance to the clippings. Indeed he seems to have missed the whole dynamic of the case.

It appeared as if the 1969 raid either was planned, or, after it occurred for (legitimate?) reasons, was *portrayed* by its defenders as a fairly routine police vendetta. For three weeks earlier two Chicago policemen were shot to death by one or more of the Panthers. The code of the Irish-run police forces of America's older cities often still applies to these instances: if possible a cop killer is rarely taken alive. Although this particular reprisal was aimed at an organization, not at individuals, the underground canon of police work supported it, and Chicago's political machine backed up the officers. So it could plausibly be argued.

Arlen chooses to see the case as expressing a pervasive American mood of repression, not as a vicious but local scandal. Thus he can open up his narrative line to his polished little set pieces. Some of them stay close to his material and read well—an essay on the Irish politician, the scholasticism of criminal lawyers, the *pathos* of the Panthers—while others on Vietnam and the New Frontier and sexual freedom are mere finger exercises.

Finally Arlen is ill-served by his eye for a fact. Relentlessly he misspells or mistakes altogether the names of police stations, lawyers, politicians, neighborhoods. He botches recent dates and badly jumbles the older details of Chicago's political history. "Mayor Cermak, a Pole," for example, was Bohemian. The other Panther killed by police was Mark Clark, not Arlen's *Matt* Clark. The author reports 73 Chicago policemen were killed during a single year recently, a tenfold overestimate. And so

NOTE

The Tragedy of Richard II *(Acropolis Books; $4.95, paper: $2.75) will be published this week. A blank-verse satire pairing the English Richard with the American, and Henry Bolingbroke with Duke Agnew, the "play" is by Robert J. Myers, publisher of* The New Republic.

The Congressman Who Loved Flaubert, *by Ward Just (Atlantic-Little, Brown; $5.95), a collection of Washington short stories, was published in July. One of these, "Prime Evening Time," appeared in* The New Republic *under the title "War Hero."*

In many subtle ways the average school perpetuates the lie that girls are innately sweet and domestic while boys are innately tough and adventurous. You may be concerned about this but may not know what to do about it. Here's a book that tells how one group of parents changed attitudes in their children's school. It wasn't easy, but their story may make it easier for you.

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on. It may be petty to hit small factual points. Yet as Arlen himself wrote for *The Atlantic* against the factual sloppiness of some New Journalists: "If the fire took place at the Hotel Edgewater, probably one ought to know that much, and certainly not be told that it was the Hotel Bridgewater."

Ralph Whitehead, Jr.

War Without Words

The Unwritten War

by Daniel Aaron

(Knopf; $12.50)

The Unwritten War is an encyclopedic survey (in the 14-volume *Impact of the Civil War* series, planned by the Civil War Commission), which methodically works its way through hundreds of primary documents, American writers writing about their greatest struggle, over a 100-year period. Its major contribution will no doubt be to American literary history. In this respect it resembles Edmund Wilson's *Patriotic Gore* and is certain to become an indispensable guide for anyone who wants to explore the letters, diaries, journals, essays, novels, short stories, poems—but apparently no plays—which constitute Civil War literature.

The mass of material is presented in a systematic, luminous and useful way. Aaron begins with the decade before the Civil War and charts the attitudes of writers from North and South toward slavery and the Union. In Part II he moves in on his chronological and geographical survey, considering first the Northern writers and noting that none of the major Northern writers—Hawthorne, Whitman, Melville, Adams, James, Howells and Twain—really fought in the war. DeForest, Bierce and Tourgee did, and were among the few who wrote about it with power and authenticity. Then there were Crane and Frederick, who attempted imaginative, postwar works on the event. End of Northern coverage—around 1900.

For the South (two-thirds of the way through this long book) Aaron begins with a mixed group of "Onlookers and Participants," moving, as he did with the Northerners, toward those who actually fought and who then wrote about it with some degree of authenticity. He could find only two of the latter, Lanier and Cable. He enters the 20th century to study the Agrarians and Fugitives and finally William Faulkner, the writer who, of all American writers, has written most profoundly about the war and the South.

There is little to be gained from trying to summarize Aaron's summaries, but his operative conceptual terms need study though they are limited in number and kind and make no appearance for long stretches. Chiefly, as his title indicates, he is impressed by what was *not* written among all the millions of words. He feels that it has been an unwritten war in that few American writers have been able to write adequately about it, have been able to serve as the "antennae of the race" in sensing its meanings. His title is evaluative, not descriptive; the war remains unwritten because most of the literary works on the war are superficial and unrealistic. American writers are blocked from the true meaning and power of the war as a national event, largely he thinks because they have been individually unable to solve for themselves the race problem.

Aaron is of course looking for, and failing to find, the *masterwork* on the war, but in doing so he displays a narrow conception of what a masterwork can or should be. He is tied to an essentially nonsymbolic conception of realism, which in turn is inseparable from a rather literal-minded view of reality and verisimilitude. What he values is implicit in his detailed, chronological-geographical way with the material, in the way in which he returns to the question of authentic, realistic war details, and in the clear, plain style he has sustained throughout this difficult endeavor. It would be ungenerous to attack a book which accomplishes so much so well, but I want to address myself to its limitations as well as to just how "unwritten" the war really is.

Faulkner is the best test case, because he had a *symbolic* imagination, and because, in my view, the single great fictional work on the Civil War by an American writer is his *Absalom, Absalom!* His imagination searched the war until it arrived at the necessary deep truths about the Civil War, the destructive, ideological tenets of the archetypal Southern plantation owner, and the relation of race and chattel slavery to all of these. Yet there is not a single realistic detail of the war in *Absalom, Absalom!*; it cannot be called a realistic prose-fiction. *Light in August* and *Go Down, Moses* are also about the war and, like *Absalom, Absalom!*, profound works of the historical imagination working at a deep, symbolic level. Here is precisely what Daniel Aaron seems to have been looking for—masterworks on the Civil War.

It took Faulkner a long time to make his imaginative settlement with the war, in part because of his own deep, romantic involvement with it and with World War I. Faulkner never directly experienced any war, but he had a profound imaginative understanding of it. As a Southerner he knew that the "great" novel about the Civil War had to be about the tragic flaws and death of the antebellum South, which in effect killed itself and many of its best sons with its plantation imperialism, its chattel slavery and its racism. Like *Absalom, Absalom!* the war novel can show a whole culture and way of life committing suicide in a necessary, heroic, but hopeless war. Sutpen's rise and fall is a symbolic account of the rise and fall of the antebellum South. The problem for Faulkner's Southern imagination was to let the antebellum South die, to admit that it had to die because it was so inhuman (in some ways), so destructive. He had to search it, realistically—but imaginatively—search the causes, issues, effects and meanings of the war as some modern black novels do.

A broader conception of what constitutes a Civil War novel than the one Aaron uses is certainly needed if we are to consider *Native Son* and *Invisible Man* part of the literature of the Civil War, something I'm quite willing to do. The

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ruthless imperial self continues to manifest itself in American life and to engage the imaginations of our writers. Indians who, like the blacks, were victims of white racism and imperialism, remind us always, as does the Civil War, of how brutal, violent and destructive we have been as a nation.

The war has remained a largely unresolved trauma in American life. The battlefield has spread over the whole country, it has been internalized in the American self; we have even carried the war abroad. Daniel Aaron says, "The war more than casually touched and engaged a number of writers, and its literary reverberations are felt to this day." If I have a reservation about this book it is that Daniel Aaron does not show how deeply this *ongoing* war *has* touched and engaged the American imagination. Nor does he suggest how brutally it is still being fought—at home and abroad—nor how endless it seems, even to the most hopeful minds. It is only when one insists upon the direct representation of its details that one can call it *The Unwritten War*.

William Rueckert

In Brief

A Requiem of Sharks
by Patrick Buchanan
(Dodd, Mead; $5.95)

Here is the promised third installment of Buchanan's tough-detective-and-his-beautiful-sidekick series. The first two, *A Murder of Crows* and *A Parliament of Owls*, were very well received. But in turning from birds to fish the author falls sadly out of his tree.

Like its predecessors this novel opens violently: a killer shark makes a meal of a beautiful, naked, red-headed owner of a sabotaged oil company, who doesn't think to check her backyard swimming pool for wildlife before diving in. But from page two on suspense disappears because of Buchanan's heavy reliance on that venerable artifice, the hurricane watch. When the storm finally arrives at the Mississippi Gulf coast, just in time to aid the forces of good, its much too late to save the tension of the novel. Then there's the final, ironic fate of those who use sharks to do their dirty work.

Former New York cop, Ben Shock, and his girlfriend-partner, Charity Tucker, are still refreshing as private eyes. But in this predictable splash, their perils are all wet.

Conversations with Architects
by John W. Cook and Heinrich Klotz
(Praeger; $13.50)

Frank talk here with a wide range of architects. The Establishment is represented by such money-makers as Philip Johnson, Kevin Roche and Louis Kahn. Moving off and down—or up—from them we find Bertrand Goldberg, a strict structuralist who regrets that he can't get anybody to listen to his revolutionary ideas on building technique; Morris Lapidus and his son Alan, famous for their storefronts and Miami Beach hotels, who are confused (are they The People's Architects or just hack designers? What's the difference, anyway?); and the lunatic fringe staffed by Robert Venturi and wife Denise Scott Brown, who are convinced that Main Street architecture—not to mention the gaudy neon signs of the Las Vegas Strip and the kitsch of suburban Levittown—are *almost* all right. Charles Moore holds a middle ground between the Pop-Art-loving Venturis and the more conventional architects.

The problem with talking to architects is that they can be so egotistical. Professors John Cook (Yale) and Heinrich Klotz (The Marburg Institute) have performed a distinct service in subjecting themselves to several hours of conversation with each of the persons represented, and making us the beneficiaries of their ordeal. But when they stray away from the subject of architecture they open the door for nonsense to walk in. They ask Philip Johnson if his ethical code would allow him to work for a dictatorship and Johnson says, "The only thing I really regret about dictatorships isn't the dictatorship, . . . I mean I'm not really interested in politics *at all*. I don't see any sense to it. About Hitler—if he'd only been a good architect!"

The opinions of the architects are so diverse that no concrete concept of modern architecture could possibly emerge from the interviews—which is as it should be, since modern architecture is nothing if not diverse. As architectural historian Vincent Scully says of the subjects in the foreword to the book, "They don't really add it all up, which is probably to the good. The structure is for elsewhere. Here the life is best."

The book is amply illustrated with examples of the work of the architects and contains a short but useful glossary for the layman.

Correspondence

Impeachment

Sirs:

Some people, numerous senators among them, are saying that we cannot begin impeachment proceedings against President Nixon because he must be presumed innocent until proven guilty. Such an argument is based on a misunderstanding of the law. When there is a *prima facie* case, a reasonable assumption, that someone has committed a crime, he is then tried to see whether he has in fact committed that crime or not. The presumption of innocence says that a man must be tried and convicted before he can be judged guilty. It doesn't say, and it would be an absurdity to say, that he *cannot be tried* until he is proven guilty. We try him to find out whether he is innocent or guilty. In the case of a President in office, impeachment is not a punishment for being guilty, but the process by which we establish his innocence or guilt.

In the matter of the secret bombing of Cambodia, a nation with whom we were not at war and whose neutrality we were sworn to protect, and the calculated and prolonged lying to Congress and the people about this bombing, there is no doubt whatever of the President's responsibility. These acts alone would in my opinion justify removing him from office. They are the most serious violation of the Constitution and the President's own oath of office that have taken place in the history of the country. Unless we wish to establish in law that a President has the right to do such things, we have no choice but to institute impeachment proceedings.

John Holt
Boston, Mass.

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Education Vouchers

Sirs:

Unlike most promoters of the voucher plan for full public funding of parochial and private schools, S. Francis Overlan ("Our Public School Monopoly," *TNR*, Sept. 15) says a few kind words about our public schools. But he fails to address himself to the serious questions about the voucher plan which I raised in my debate with him at the National School Boards Association convention in April.

What "educational alternatives" deserving of public support cannot be provided wholly within a public school system? If a wide variety of alternatives can be provided within a public school system, as in the Alum Rock District, what need is there for the cumbersome voucher machinery? Since none—repeat, none—of the voucher promoters, from Friedman to Blum to Jencks to Overlan, would bar voucher schools from selecting staff along religious or political lines, and since none would bar religious or political indoctrination, what would prevent a voucher system from fragmenting and segregating our school population into sectarian, ideological, ethnic or other ghettoes and enclaves? And what would such fragmentation and segregation do to community harmony? Northern Ireland is an extreme example of what could happen.

If a voucher system leads to the proliferation of nonpublic schools, what would prevent the fragmentation of education into units too small to be operated economically? This has been the result of public funding of multiple school systems in the Netherlands, parts of Canada and elsewhere.

Edd Doerr
Silver Spring, Md.

Sirs:

As a strong supporter of voucher plans and a severe critic of public education, I was very disappointed and puzzled at Mr. S. Francis Overlan's tepid defense of private better education in his article, "Our Public School Monopoly." (*TNR*, September 15, 1973). If public schools are as responsive to parental needs and demands as Mr. Overlan asserts, why do we care if public schools do monopolize education? Certainly it is a highly visible and regulated monopoly. Is it that there is something evil about monopolies *per se*, and something good *per se* about private schools?

I believe that Mr. Overlan concedes far too much to the public schools. While a few public school systems may be responsive to minority tastes in education—whether conservative or radical—most are agonizingly slow in their response. Indeed it may be that the principal motivation for such changes as there are, is the actual or implicit threat of private school alternatives. Here may be the reason why we need a viable private school system. As a threat, good, and example to the stodgy public schools. After all free schools started outside the public school system as did Summerhill. And I believe voucher plans or tax credits are the best way yet devised to support private schools.

In this regard the impact on voucher plans of the Supreme Court's super purist attitude toward separation of church and state may play a devastating role. Voucher plans have little chance politically unless the supporters of parochial schools unite with the secular private school interests. But the Court, in its zeal to solve the burning problems of 17th-century England, seems determined to stamp out every effort to aid private schools that permits any funds, in any form, to trickle through to sectarian education. Would that they were equally concerned about the wall between our lives, liberties and the executive branch.

Robert L. Bard
West Hartford, Conn.

Kudos

Sirs:

The undersigned, economists (!) all, loved the poem "The Waterbury Tales" (TNR, September 15, 1973). What can we say, but keep it up and,

"A better felawe sholde men noght fynde."

Thanks.

Robert Hartman
John A. Brittain
Henry Aaron
Bob Reischauer
Ned Gramlich
Karen Davis
Alice M. Rivlin
Marcia Appel
The Brookings Institution
Washington, DC

Sirs:

I read the poem in Tyme and sweare I laff't
Untyl my very nethr partes wir chaff't.[1]
Was thys compleat, or is ther moore 'n it?
Wudst luv to reade it all, ye wolde permyt.

The arrows of satiyre thou strate shootyth.
A bonnie poetess thou arte, Mys Judyth!
Pleas sende the whol intyre luvly ryme
Ful well, forsooth, ye made yur poynt in "Time."

[1] To be spake lyke what the wheat is sep'rated frum.

Theo Heller
Metairie, La.

Sirs:

Hail Waterbury Tales

Whan that editour Judith Wax hath printed,
my hearte to joy hath truly sprinted.
The Judith Wax hath tale well dugge[1]
of Waterbury subterfuge.
Hir verse with open ye is spunne.
My laughter ful is not yet ronne.
Hail Newe Republic the grace it givith
and Judith Wax long may she livith.

[1] dugge, p. tense, 12th Century Minnesinger argot meaning to comprehend. The expression was popularized by Hans Off's "du du digst, Mann" (no reference to Thomas who was then in doubt).

Colette Inez
Orangeburg, NY

Sirs:

Judith Wax' "Waterbury Tales" is an excellent bit of satire, aptly conceived and executed. There are, however, some snips of the original which are equally apt. A good example is:

A shitten shepherde and a clene sheepe

That if gold ruste, what shall iren doo?

Lines 500 and 505 of the Prologue,
Canterbury Tales

Of course Chaucer was talking about

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the clergy, but these snips are equally appropriate to the condition of political shepherds.

Wilford O. Cross
Madison, Conn.

Sirs:

Let us hope that the unique word "schlepping" has passed into common use and recognition sufficiently for readers to appreciate its injection into a Middle English style satire.

"Royl blood from Illinoye"; "borrowed gold to wed the Maid Maureene"; "wyrtaps and tartyse (hookyrs)"; "parfait clere"; "pussye catte"; "thysse poynt in tyme"; are these conceptions a product of acquired or inherited genius, or do they stem from a recent dexedrine and bourbon weekend? From whatever origin, they are superlative metasteses and will undoubtedly be preserved.

Fred A. Denison
Memphis, Tenn.

Kauffmann, *from page 22*

I just feel gratitude that he exists, and acts. It's offensive to say that there are no false moments in his performance, but it's impossible to detail all the true ones. I note only two: the scene where he tries (unsuccessfully) to enlist in the Union Army and has to run around a table nude for the examining army doctor, a perfect blend of commonalty and wrenched privacy; and the long shot in which the aged widower crosses the barnyard, the last look at him before he dies (1890), a perfect crystallization of the finish of the story, of the long years of work, sharing, loneliness and calm.

About Liv Ullmann, as Kristina, I *shall* gush. Her latest film *Forty Carats* (American, made subsequently to *The New Land*) put obstacles in our way, which we had to get past in order to love her. Here there are no obstacles, only enablements. She is irresistible. In the long spectrum of aging and experience through which this two-part film takes her, she is utterly and always a giver of life, her wonderful talent making her beauty more beautiful. In a fairly trite moment, like the one in which the hard-working farm woman suddenly tries on a very fancy hat, she tears it out of film triteness into experience because it is *happening* to that woman. She does the same with her death scene, where she holds an apple from a now-mature tree that they brought as a sapling from Sweden. As written her role has less variety and contrast than von Sydow's, but Kristina never becomes mawkish or consciously noble because *Ullmann* is aware of fallibility. After her death, worn and weak, we see a shot of her as her husband remembers their meeting—a girl walking toward us down a Swedish road, smiling, a bit nervous about her braids. The radiant simplicity, the simple radiance—well, I promised to gush, and I'm only sorry that space limits prevent me from going on.

Per Oscarsson, that fine mad actor of *Hunger*, makes a brief appearance as an itinerant preacher. The handling of his character and those of two religiously bigoted neighbors suggest that they were truncated in editing: subjects are started but not concluded. I don't know whether this happened in the original editing (1970) or in editing for the US or in the script itself, but these, like similar bumps in the first part, are patent flaws in an ultimately majestic work.

The script is by Troell and his producer, Bengt Forslund. The direction, the photography and the editing are by Troell. All honor to this beautifully gifted man. His color camera doesn't scrounge for calendar gorgeousness: it selects and harmonizes with an occasional chromatic crescendo. His editing—within any one sequence—is usually unnoticeable, discreetly helpful. His compositions, though his "ridge" shots show that he knows his Bergman, are usually tuned perfectly to the intensity of the scene. He uses a lot of close-ups. As with patriotism in public life, the close-up is often the last refuge of the artistic scoundrel. Troell, by the atmosphere he creates throughout and the immediate contexts, makes his close-ups "privileged moments." Examples: the close-ups of the Sioux as they await execution; or of Karl-Oskar and Kristina in bed as she confesses her homesickness for Sweden. (I should note, by the way, that much of this picture was shot in the US.)

Scenes like this last one show how, as a director of actors, Troell understands that in this long film of history, he is also celebrating a marriage. It is one of the most fully realized marriages I can remember in a film, excepting Ozu's *Tokyo Story*, and is helped greatly by Troell's now-familiar magic with children.

The New Land runs two hours and 40 minutes; with *The Emigrants*, the total must be well over five hours. (The Swedish versions run longer; and I read that these films have been seen by more Swedes than any other film ever.) We now have, from a foreign director, the only adequate film statement of one of the great American historical phenomena, the mass movement of peoples to this country in the 19th century. Because of its occasional flaws, in fulfillment of plot strands and textural wandering, and because (unlike *Toyko Story*, for instance) its ultimate aim is commemoration rather than enlightenment, it cannot at the last be called an absolutely first-class work of art. But in its steadfastness, its sense of time shared and humanity known, in the warmth of the many talents with which it shines, it is the work of first-class spirits.

Postscript. Troell's second film, *Who Saw Him Die?* (1968), with Per Oscarsson, has not yet been released in this country. *US distributors: where is that second film?*

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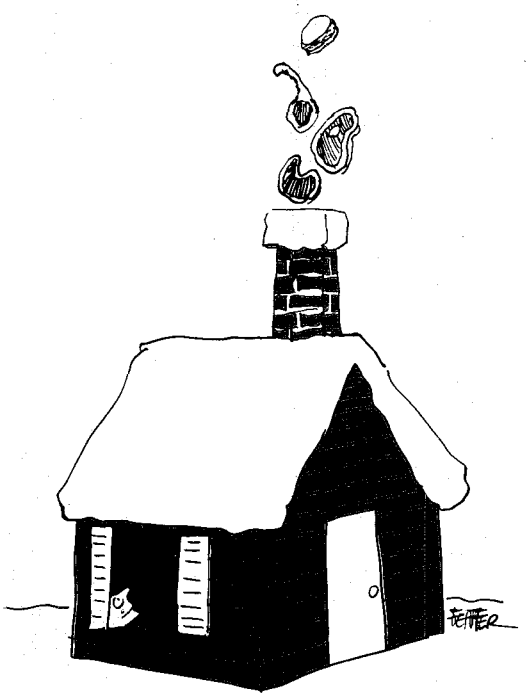

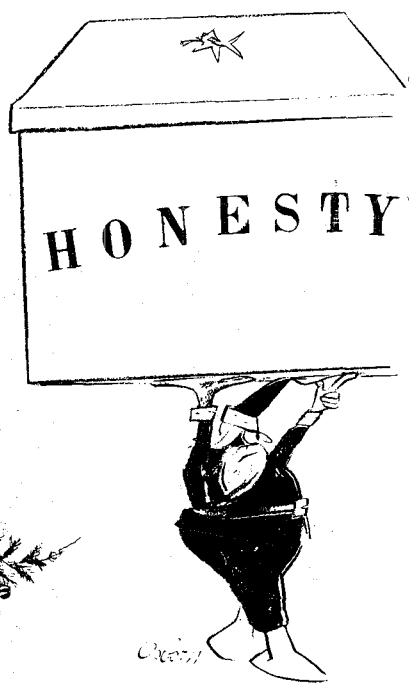

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